



SAN FRANCISCO  
BOARD OF SUPERVISORS

SELECT COMMITTEE ON CHARTER REFORM

CALENDARS AND  
BUDGET ANALYST MEMORANDA

1994 – 1995

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CALENDAR

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, DECEMBER 8, 1994, 10:00 A.M.

CITY HALL, ROOM 228  
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Bill Maher

CLERK: Gregoire Hobson

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D i s a b i l i t y   A c c e s s

The Board of Supervisors Committee Meeting Room (228) and the Legislative Chamber of the Board are on the second floor of City Hall.

Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 235 staff.

The following services are available on request 72 hours prior to the meeting or hearing:

For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.  
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call the accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (First Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

ACTION:

NOTE: THIS IS THE FIRST MEETING OF THE COMMITTEE AND WILL PRIMARILY BE AN ORGANIZATIONAL AND PLANNING MEETING.

HEALTH, PUBLIC SAFETY AND  
ENVIRONMENT COMMITTEE  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CA 94102

IMPORTANT  
HEARING NOTICE

2/95  
BOARD of SUPERVISORS



City Hall  
San Francisco 94102  
554-5184

December 29, 1994

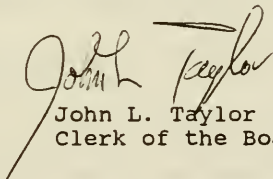
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NOTICE OF RESCHEDULED MEETING  
SELECT COMMITTEE ON CHARTER REFORM

NOTICE IS HEREBY given that the regularly scheduled meeting of the Select Committee on Charter Reform for Thursday, January 12, 1995, 10:00 a.m., has been rescheduled for Thursday, January 19, 10:00 a.m.

  
John L. Taylor  
Clerk of the Board

POSTED: DECEMBER 29, 1994

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CA 94102

IMPORTANT  
HEARING NOTICE

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# CALENDAR

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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### RESCHEDULED MEETING

THURSDAY, JANUARY 19, 1995 - 10:00 A.M. CITY HALL, LEGISLATIVE CHAMBERS  
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Bill Maher

CLERK: Gregoire Hobson

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### Disability Access

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1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (First Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Cont'd from 12/8/94)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CA 94102

IMPORTANT  
HEARING NOTICE





**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

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January 17, 1995

**TO:** Select Committee on Charter Reform  
**FROM:** Budget Analyst  
**SUBJECT:** January 19, 1995 Select Committee on Charter Reform Meeting

Item 1 - File 281-94-1

**Note:** This item was transferred from the Rules Committee to the Select Committee on Charter Reform, and continued by the Select Committee on Charter Reform at its meeting of December 8, 1994.

**Proposed Action:** Charter Amendment to repeal the 1932 Charter and to enact a new Charter.

**Draft:** First

**Section Affected:** The entire Charter of the City and County of San Francisco

**Description:** The proposed Charter would repeal the City's existing Charter and replace it with a new Charter which would be implemented on July 1, 1996 for structural and budgetary provisions and July 1, 1997 for powers of the Mayor.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Memo to Select Committee on Charter Reform  
January 19, 1995 Select Committee on Charter Reform Meeting

The following is a summary of the differences between the City's existing Charter and the proposed Charter:

<b><u>Current Charter</u></b>	<b><u>Proposed Charter</u></b>
<b><u>Charter Size</u></b> 320 pages and 46 pages of Appendices	80 pages including Appendices
<b><u>Administrative Provisions</u></b> Contains references to obsolete programs, procedures and positions and contains detailed administrative procedures that could be transferred to the City's Administrative Code.	Removes obsolete provisions and administrative detail such as references to obsolete programs, procedures and positions. Transfers to Appendices or to the City's Administrative Code two-thirds of the Charter.
<b>Article I: Existence and Powers of the City and County</b>	
Provides the name, boundaries, rights and powers of the City and County of San Francisco. Describes San Francisco as a municipal corporation.	The same except describes San Francisco as a "consolidated City and County."
<b>Article II: Legislative Branch</b>	
<b><u>Board of Supervisors Size</u></b> 11 members	Same
<b><u>Board of Supervisor Salaries</u></b> Board of Supervisors salaries are currently at the 1982 level of \$23,924 and can only be changed by a Charter Amendment.	Same
<b><u>Supervisors Election</u></b> Elected at large	Same
<b><u>Supervisors' Terms</u></b> Four year terms limited to two successive terms.	Same
<b><u>Supervisors Vacancies</u></b> Filled by Mayor for balance of term.	Same

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

**Current Charter**

**Proposed Charter**

<p><b><u>Supervisors Meetings</u></b> Meetings can be held outside City Hall, if properly noticed.</p>	Same
<p><b><u>Meeting Quorums</u></b> A majority of Supervisors constitutes a quorum; Supervisors must vote when a question is put; Supervisors can be excused from voting by a majority of the Supervisors.</p>	Same
<p><b><u>Ordinance and Resolutions</u></b> Ordinances and resolutions are method of enacting policies or laws (except for motions for Board of Supervisors internal business). Ordinances must deal with a single subject except for appropriation ordinances, require majority vote and require two readings.</p>	Same
<p><b><u>Board of Supervisors Budgetary Authority</u></b> The Board of Supervisors is limited to decreasing or rejecting budget items proposed by the Mayor, but may not increase items (except for capital improvements) or propose its own expenditures. The Board of Supervisor's adopted budget is subject to line item veto by the Mayor.</p>	The Board of Supervisors budgetary powers are expanded to permit the Board of Supervisors to initiate programs, increase line items and initiate supplemental appropriation requests within the limits of the balanced budget and subject to Mayoral veto or line item reduction.
<p><b><u>Budget Strategies</u></b> Annual budgets and mission driven budgets.</p>	Annual budgets and multi-year budgets (for planning purposes), mission driven budgets and any other budget strategies required by ordinance. Multi-year budgets would be for planning purposes.

**Current Charter**

**Proposed Charter**

<p><b><u>Supplemental Appropriations</u></b> Supplemental appropriations originate within departments and commissions. Supervisors may approve resolutions urging the Mayor to urge a Commission to urge its department to submit a supplemental appropriation request.</p>	Supervisors would be able to directly initiate supplemental appropriations, subject to available funds and subject to Mayoral veto, line item veto and line item reduction by the Mayor
<p><b><u>Veto Override</u></b> Veto override requires 8 votes within 30 days.</p>	Same
<p><b><u>Emergency Ordinances</u></b> Public emergencies affecting life, health, or property require one reading and requires a two-thirds vote of the Board of Supervisors.</p>	Same
<p><b><u>Public's Right to Know/Record Keeping</u></b> Clerk of the Board maintains records which are made available to the public under the Sunshine Ordinance.</p>	Same
<p><b><u>Rates and Fees</u></b> Most rates, fees and charges for City services are set by boards and commissions. Some require review and approval of the Board of Supervisors.</p>	The Board of Supervisors would have the authority to approve or reject all proposed changes in fees and charges except for those fees at the Port, Airport and garbage collection and disposal rates.
<p><b><u>Sale or Lease of Real Property</u></b> Lease of real property for ten years or more or sale of property requires approval through resolution by the Board of Supervisors.</p>	Same
<p><b><u>Abandonment of Transit Routes</u></b> Approved or rejected by ordinance.</p>	Same

**Current Charter**

**Proposed Charter**

<p><b><u>Fidelity Bonds</u></b> Far ranging dollar amounts specified for various officials and department heads.</p>	<p>Board of Supervisors would determine which officers would post bonds and in what dollar amounts. The Board of Supervisors would conduct an annual review of bonding requirements.</p>
<p><b><u>Declaration of Policy/Legislative Referendum</u></b> Four Supervisors can place an item on a ballot.</p>	<p>Same</p>
<p><b><u>Board of Supervisors Involvement in Departmental Affairs</u></b> Members of the Board of Supervisors are prohibited from being involved in the day-to-day operation of City departments. Inquiries are limited to ordinances, resolutions, letters filed with the Clerk of the Board of Supervisors or committee inquiries.</p>	<p>Restricts contact with departments on matters involving personnel matters, contracts, and purchasing. The Board of Supervisors may contact departments in other matters but such contacts are limited to department heads or their designees, boards, or commissions.</p>
<p><b><u>Budget Analyst</u></b> Supervisors select the Board's Budget Analyst.</p>	<p>Same</p>
<p><b><u>President of the Board of Supervisors</u></b> Highest vote-getter becomes president and in case of a vacancy the Supervisors select a replacement.</p>	<p>Same</p>
<p><b><u>Clerk of the Board of Supervisors</u></b> Clerk has civil service status.</p>	<p>The Board of Supervisors would appoint and remove the Clerk of the Board. The incumbent Clerk would maintain his Civil Service status.</p>
<p><b><u>Staff to the Board of Supervisors</u></b> Assistant Clerks are appointed by the Clerk of the Board subject to Civil Service. Supervisors are permitted a single Administrative Assistant but they also have a Legislative Assistant whose position is classified as Temporary.</p>	<p>Each member of the Board of Supervisors have two permanent staff positions.</p>

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



**Current Charter**

**Proposed Charter**

<p><b><u>Compensation for Elected Officials</u></b> Elected officials except Supervisors, School Board members and Community College Board members, have their pay set by the Salary Standardization Ordinance (SSO) requiring Supervisors' adoption.</p>	<p>Same</p>
<p><b><u>Compensation for Commissioners</u></b> Specifies different compensation rates for the various commissions.</p>	<p>The Board of Supervisors would set equal compensation per meeting for commissioners.</p>
<p><b><u>Rejection of Commission Appointments</u></b> The Supervisors can confirm or reject appointments to the Redevelopment, Port, and the Housing Authority commissions but not the other City commissions.</p>	<p>The Board of Supervisors would have the authority to reject commission appointments within 30 days.</p>
<p><b>Article III: Executive Branch – Office of the Mayor</b></p>	
<p><b><u>Budget Preparation</u></b> The Controller assembles the budget items prepared by City Departments and approved by commissions. The Mayor assembles his budget priorities from the Controller's budget. The Mayor can only cut departments' budgets.</p>	<p>The proposed City Administrator (to replace the City's Chief Administrative Officer) would supervise budget preparations, recommendations and program evaluations for all departments for consideration and action by the Mayor. The Mayor would be able to add, subtract or shift funds within and among departments. The Controller's Office would continue to be involved in budget preparation.</p>
<p><b><u>Budget/Appropriation Veto Powers</u></b> Mayor can veto in whole or by line item, or line item reduction.</p>	<p>Same</p>
<p><b><u>Supplemental Appropriations</u></b> Commissions/departments submit supplemental appropriation requests to the Mayor who may approve, disapprove, or reduce and then submits the request to the Board of Supervisors.</p>	<p>The Mayor would be able to submit supplemental appropriation requests directly to the Board of Supervisors without originating from the Commissions/departments.</p>

Memo to Select Committee on Charter Reform  
January 19, Select Committee on Charter Reform Meeting

**Current Charter**

**Proposed Charter**

<b><u>Departmental Accountability</u></b> The Mayor may only deal with City departments through the Board, Commission or appointed officer of the department.	The Mayor would be granted authority to direct departments.
<b><u>Speak Before the Board of Supervisors</u></b> The Mayor can speak before Board or committee meetings.	Same
<b><u>Acting Mayor</u></b> The Mayor appoints a Supervisor as Acting Mayor when necessary.	Same
<b><u>Emergency Powers</u></b> In public emergency affecting life, health or property, marshals forces to meet the emergency; actions limited to five days unless extended by emergency ordinance.	Same
<b><u>Vacancies</u></b> The Mayor fills vacancies in all elective offices.	Same
<b><u>Measures to Voters</u></b> The Mayor may submit ordinances or declaration of policy measures to the voters.	Same
<b><u>Appointing Commissioners</u></b> The Mayor appoints most commissioners without oversight by the Board of Supervisors, except for confirmation proceedings for appointments to the Redevelopment Commission, Housing Authority, War Memorial, and Port Commission. The Board and other City officers appoint some Commissioners and Board members.	Same except the Supervisors may reject all commission appointments within 30 days. The Mayor would have the authority to remove commissioners except those from the Commissions of; Civil Service, Ethics, Health, Human Services, Public Utilities, Recreation and Park, Port, Airport, Status of Women, Asian Art and Fine Arts, and War Memorial and Performing Arts, who would be subject to specified suspension and removal procedures.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Memo to Select Committee on Charter Reform  
January 19, Select Committee on Charter Reform Meeting

**Current Charter**

**Proposed Charter**

<p><b><u>Department Head Hiring</u></b> Commissions hire and fire the directors of City departments.</p>	<p>The Mayor would hire department heads from lists of no less than three qualified candidates provided by the commissions. The Mayor would have the authority to directly fire a department head. In the case of the Police Chief, the Mayor or Police Commission would each be able to remove the Chief.</p>
<p><b><u>Mayor's Term of Office</u></b> Four year term limited to two successive terms.</p>	<p>Same</p>
<p><b><u>Mayor Vacancy</u></b> The president of the Board of Supervisors becomes Acting Mayor until the Board of Supervisors appoints a replacement Mayor.</p>	<p>Same</p>
<p><b><u>Chief Administrative Officer (CAO)</u></b> The Mayor appoints the CAO subject to confirmation by the Board of Supervisors. The CAO has responsibility for the Department of Public Works, Registrar of Voters, the Purchasing Office, and other administrative departments. The CAO serves a ten-year term and may be removed by a two-thirds vote by the Board of Supervisors.</p>	<p>The CAO would be replaced with the position of City Administrator. The Mayor would appoint the City Administrator to a five-year term subject to Board of Supervisors confirmation. The Mayor would be able to remove the City Administrator subject to veto by the Board of Supervisors. The City Administrator would implement the policies of the Mayor and the Board of Supervisors and coordinate administrative activity for all City departments.</p>
<p><b><u>Controller</u></b> Appointed for a ten year term and removable only for cause by 2/3 vote of the Board of Supervisors.</p>	<p>Same and the powers and duties are the same.</p>



Current Charter

Proposed Charter

<b>Article IV: Executive Branch – Boards, Commissions and Departments</b>	
<u>Boards and Commissions -- Size and Composition</u> Commissions and Boards range in size from five members to 62 members, most terms are four years staggered. Members must be registered voters; residency in San Francisco required for commissions; in cases of boards created by ordinance, residency requirement can be waived in unusual cases.	Commission sizes and terms would remain the same in most cases. The composition would remain the same except youth may serve on boards established by ordinance; appointments must be “representative of the communities of interest and diverse populations in the City and County of San Francisco and have representation of both sexes.”
<u>Commission Responsibilities</u> Commission duties and responsibilities range from formulating departmental policy, hiring and firing department heads, setting rates and fees and acting as an appellate body for employee grievances.	The ultimate responsibility for departmental budgets, rate schedules, firing department heads would rest with the Mayor and the Board of Supervisors. Other Commission responsibilities would remain unchanged.
<u>Annual Report</u> Commissions are not currently required to provide an annual report.	By ordinance, commissions would be required to provide an annual report on its activities.
<u>Rules and Regulations</u> Commissions adopt rules and regulations.	Commissions adopt rules and regulations consistent with the Charter and ordinances. This would enable the Board of Supervisors to essentially reject or modify an action of a commission by enacting a superseding ordinance.

**Current Charter**

**Proposed Charter**

<p><b><u>New Charter Commissions</u></b> The Commission on the Environment, the Commission on Housing and Economic Development, are not currently in the City's Charter and the Commission on the Aging is an ordinance Commission.</p>	<p>The proposed Charter would create the Commission on the Environment, the Commission on Housing and Economic Development, and add the Commission on the Aging to the Charter. In addition, the proposed Charter would change the name of the Social Services Commission to the Human Services Commission.</p>
<p><b><u>Reorganization of City Departments</u></b> Departmental reorganization of Charter departments requires voter approval.</p>	<p>City departments could be reorganized by department heads, subject to approval by the City Administrator. Mayor may reorganize duties between departments, subject to veto by the Board of Supervisors within 30 days.</p>
<p><b><u>Creation of New Departments</u></b> Not Applicable</p>	<p>Consolidates environmental functions into the Department of the Environment. The details of these functions would be determined at a later date by the Mayor subject to the approval of the Board of Supervisors. Consolidates the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services. Merges the Mayor's Office of Housing, the Mayor's Office of Community Development and the Mayor's Business Office into the Department of Housing and Economic Development. Merges the Assessor and the Recorder's Office into the Assessor-Recorder.</p>

**Current Charter**

**Proposed Charter**

<b>Article V: Executive Branch – Arts and Culture</b>	
This section includes the following arts and culture departments and commissions; the Arts Commission, Asian Art Museum, Fine Arts Museum and War Memorial and Performing Arts Center.	This section would remain the same.
<b>Article VI: Other Elected Officials</b>	
This section includes the powers and duties of other elected officials which includes the Assessor, the City Attorney, the District Attorney, the Public Defender, the Sheriff and the Treasurer.	The powers and duties of these other elected officials would remain unchanged.
<b>Article VII: Judicial Branch</b>	
Includes Superior and Municipal Courts, Adult Probation and Juvenile Probation.	The proposed Charter would not change the powers and duties of any of the departments under Article VII: Judicial Branch.
<b>Article VIII: Education and Libraries</b>	
Includes the Unified School District, the Community College District, the Public Library Commission, and the Law Library.	The proposed Charter would not change the powers and duties of any of the departments under Article VIII: Education and Libraries.
<b>Article IX: Financial Provisions</b>	
<b><u>Budget Process</u></b> The Mayor proposes an annual budget within specified time frames. The Board of Supervisors can only reduce items in the proposed budget except capital, and requires mission-based budget (goals, plans, services to be provided and priorities). Requires an interim and final Annual Appropriation Ordinance.	The Mayor would propose the budget and the Board of Supervisors would be able to increase or decrease the budget as long as there is no overall increase to total spending within each fund. Would also require additional multi-year capital budget information and timelines would be set by ordinance.

**Current Charter**

**Proposed Charter**

<p><b><u>Mayoral Veto</u></b> The Mayor can line item veto with a possible Board of Supervisors override by a two-thirds vote.</p>	Same
<p><b><u>Bonds and Lease Financing</u></b> Allows for bonds to be issued under State law and local ordinances. Requires voter approval. General obligation bonds are subject to a limitation equal to three percent of the assessed value of all taxable real and personal property. Requires voter approval of revenue bonds and lease financing with certain exceptions.</p>	Would have the same overall controls including voter approval. The detailed provisions would be moved to the City's Administrative Code.
<p><b><u>Cash Reserves</u></b> Requires the City to set aside a fund for cash flow purposes equal to 10 percent of the property tax levy.</p>	Same
<p><b><u>Audit Committee</u></b> An audit advisory committee is appointed by the Mayor and the Board of Supervisors.</p>	The Board of Supervisors would establish an audit committee. The audit committee would maintain a direct and separate line of communication between the Board of Supervisors and the City's independent auditor as well as meet with the independent auditor to review the audited annual financial statement and the auditor's report and recommend appropriate action that the Board of Supervisors should take to implement audit recommendations.
<p><b>Article X: Personnel Administration</b></p>	
<p>This section covers personnel administration which includes the Civil Service Commission and the Department of Human Resources.</p>	The proposed Charter would not change the powers and duties of any of the departments and commissions under Article X: Personnel Administration.



**Current Charter**

**Proposed Charter**

**Article XI: Employer-Employee Relations System**

This section establishes employer-employee relations, the Employee Relations Office and the methods of labor negotiating and wage setting as taken from Proposition L (1993).

The proposed Charter would not change the employee-employer relations system and would place all of the current wage setting and negotiating systems, disciplinary and exoneration procedures and prevailing wages by incorporating them in the proposed Appendix A-Employment Provisions.

**Article XII: Employee Retirement and Health Service Systems**

This Section establishes the Retirement Board/System and the Health Service Board/System.

This section would remain the same except specific sections awarding benefits are moved to Appendix A-Employment Provisions which could not be changed without a charter amendment. The recent addition permitting a retiree to serve on the Retirement Board and Health Service Board would be incorporated in the proposed Charter.

**Article XIII: Elections**

This section covers the terms of elective offices of four years and specifies when those elections will occur. In addition, includes provisions in runoff elections, special municipal elections and establishes the Registrar of Voters.

Everything would remain the same in this section except the Registrar of Voters would be named the Department of Elections and the Director of Elections would be appointed by the City Administrator.

**Article XIV: Initiative, Referendum and Recall**

Provides for voter initiated referendums and recall elections

No changes would be made to this section.

**Current Charter**

**Proposed Charter**

<b>Article XV: Ethics</b>	
Includes provisions for an Ethics Commission, financial disclosure, conflict of interest, penalty for official misconduct, suspension and removal, and dual office holdings.	The proposed Charter would add (1) any non-elected commissioner who seeks elective office must resign the commission post, and (2) bars persons from holding a position with the City while being employed with the State or Federal governments, provided the annual salary for the City position exceeds \$2,500.
<b>Article XVI: Miscellaneous Provisions</b>	
This section includes cable car routes, City acquisition of utilities, Utility Revenue and expenditures, Airport Revenue Funds, California Academy of Sciences, Cultural, Educational and Recreational Appropriations, California Academy of Sciences, Open Space Fund, Children's Fund, Library Preservation Fund, Recreation and Parks; Buildings and Lands, and Franchises.	Article XVI: Miscellaneous Provisions would not be changed in the proposed Charter.
<b>Article XVII: Definitions</b>	
Provides definitions of terms including "business day", "discrimination" and "elector".	The definitions would not change in the proposed Charter, except for the addition of "Domestic partners," defined as those persons registered pursuant to the Domestic Partner ordinance.
<b>Article XVIII: Transition Provisions</b>	
The current Charter does not include this section.	This section would contain transition provisions that, once implemented, would be stricken from the Charter. This section transfers 108 sections from the 1932 Charter to the City's Administrative Code that are procedural in nature.

**Current Charter**

**Proposed Charter**

**Article XI: Employer-Employee Relations System**

This section establishes employer-employee relations, the Employee Relations Office and the methods of labor negotiating and wage setting as taken from Proposition L (1993).

The proposed Charter would not change the employee-employer relations system and would place all of the current wage setting and negotiating systems, disciplinary and exoneration procedures and prevailing wages by incorporating them in the proposed Appendix A-Employment Provisions.

**Article XII: Employee Retirement and Health Service Systems**

This Section establishes the Retirement Board/System and the Health Service Board/System.

This section would remain the same except specific sections awarding benefits are moved to Appendix A-Employment Provisions which could not be changed without a charter amendment. The recent addition permitting a retiree to serve on the Retirement Board and Health Service Board would be incorporated in the proposed Charter.

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**Current Charter**

**Proposed Charter**

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This section includes cable car routes, City acquisition of utilities, Utility Revenue and expenditures, Airport Revenue Funds, California Academy of Sciences, Cultural, Educational and Recreational Appropriations, California Academy of Sciences, Open Space Fund, Children's Fund, Library Preservation Fund, Recreation and Parks; Buildings and Lands, and Franchises.	Article XVI: Miscellaneous Provisions would not be changed in the proposed Charter.
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Provides definitions of terms including "business day", "discrimination" and "elector".	The definitions would not change in the proposed Charter, except for the addition of "Domestic partners," defined as those persons registered pursuant to the Domestic Partner ordinance.
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**Current Charter**

**Proposed Charter**

<p><b><u>Initiative Ordinances</u></b> Initiative ordinances are attached to the current Charter.</p>	<p>Initiatives ordinances would not be attached to the proposed Charter, but included in the City's Administrative Code.</p>
<p><b><u>Revision of Rules and Regulations</u></b> Not applicable</p>	<p>Following adoption of the proposed Charter, departments would review their rules and regulations and revise, if need be, to conform with the proposed Charter.</p>
<p><b><u>Protection of Incumbent Officers and Employees</u></b> Not applicable</p>	<p>Would protect the Civil Service rights of all officers and employees in cases where the proposed Charter would provide for changes or transfer of functions.</p>
<p><b><u>Changes in Offices and Positions</u></b> Not applicable</p>	<p>This section would clarify the roles and protects the incumbency rights, of certain officers (i.e. CAO becomes the City Administrator; Controller's term would continue; The Clerk of the Board would retain his Civil Service rights; the General Manager of Social Service would become the Director of Human Services; the incumbent County Clerk-Recorder would maintain his civil service status when the office is merged with the Assessor's Office.</p>
<p><b><u>Provisional Appointments</u></b> There are some City employees who have provisional appointments. According to the Civil Service Commission, there are currently approximately 2,200 provisional appointments. Provisional appointments mean an employee can have a job provided that employee passes the Civil Service exam. Because of their status, these employees do not receive retirement benefits or step pay increases.</p>	<p>This section would create a system to make provisional City employees permanent within five years after the passage of the proposed Charter.</p>

**Effect on the Cost  
of Government:**

The Controller reports that the proposed new Charter would neither increase nor decrease the cost to City government.

**Comments:**

1. The proposed consolidation of the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services could result in savings to the City if the various administrative positions and functions are merged and positions are eliminated. The proposed Charter does not indicate how the consolidation would be implemented. Similarly, there would be savings to the City associated with the consolidation of the Mayor's Office of Housing, Office of Community Development and Business Office into the Department of Housing and Economic Development if the various administrative positions and functions are merged and positions are eliminated. Finally, the proposed Department of the Environment could also result in savings to the City if the various administrative positions and functions are merged and positions are eliminated.

2. Article XVIII, Section 18.110 of the proposed new Charter, establishes a procedure which could make all provisional City employees permanent within five years after passage of the proposed Charter. Becoming permanent requires Civil Service to conduct an exam and the incumbent to pass the exam. There would be a cost to the City in providing retirement benefits to such permanent employees which are not provided to provisional employees.

According to Mr. Vernon Nulph of the Human Resources Department, there are approximately 2,200 provisional City employees. As a rough estimate, at an average annual salary of \$50,000 and the City's current retirement contribution rate of 5.39 percent, the annual increased cost to the City to make these provisional employees permanent would be approximately \$5,929,000 (2,200 employees x \$50,000 average salary x 5.39% retirement contribution rate). According to Mr. Wendall Pryor of the Department of Human Resources, it is the policy of the Civil Service Commission to conduct exams, and to maintain current lists of eligibles in a timely manner to limit the number of provisional employees. Thus, even if the proposed new Charter were not

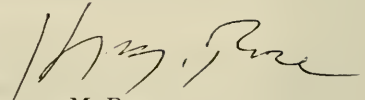
approved by the voters, the City would incur increased costs associated with making provisional employees permanent, as well as some savings associated with decreasing the Departmental time and effort involved in provisional hiring processes.

3. There are currently 24 commissions and boards with a total of 234 members in the City and County of San Francisco. Of those, ten do not receive any form of compensation. Of the remaining 14 boards and commissions, ten receive \$1,200 annually, two receive \$15 per meeting, and two receive \$25 per meeting. The total cost to the City for these commissioners' compensation is approximately \$105,000 annually.

If all 24 commission and boards were to receive the same level of compensation, (except for the Arts Boards, with 100 members in total, who would receive no compensation) as is specified in the proposed Charter Amendment, the City would incur additional costs associated with the ten boards and commissions that do not currently receive compensation and possibly incur increased costs for those boards and commissions that receive less compensation than others in the City. If the Board of Supervisors were to establish commission and board compensation for all 134 members (234 total less 100 Arts Boards members) at \$1,200 per year (the most common current form of compensation) the City would incur increased costs of approximately \$55,800 annually (134 commission and board members x \$1,200 = \$160,800 and \$160,800 minus \$105,000 = \$55,800).

4. The current proposed Charter includes Patrol Special Police Officers (PSO). PSOs receive Police Officer training and work at special beats or territories as fixed by the Police Commission. The Chief of Police recommends that the PSOs be removed from the Charter and placed in the Administrative Code to permit the Police Commission, Chief of Police and Board of Supervisors to exercise management and policy control over the PSOs without the necessity for a Charter amendment.

Memo to Select Committee on Charter Reform  
January 19, Select Committee on Charter Reform Meeting



Harvey M. Rose

cc: Supervisor Kaufman  
Supervisor Leal  
Supervisor Teng  
President Shelley  
Supervisor Alioto  
Supervisor Ammiano  
Supervisor Bierman  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Kennedy  
Supervisor Migden  
Clerk of the Board  
Chief Administrative Officer  
Controller  
Teresa Serata  
Robert Oakes  
Ted Lakey

# CALENDAR

ALL COMMITTEES OF THE BOARD OF  
SUPERVISORS WILL RELOCATE TO  
401 VAN NESS AVENUE ROOM 410  
EFFECTIVE FEBRUARY 21, 1995

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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### REGULAR MEETING

THURSDAY, FEBRUARY 9, 1995 - 10:00 A.M. CITY HALL, ROOM 228  
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Mabel Teng

CLERK: Rosemary Little-Horanzky

\* \* \* \* \*

## Disability Access

The Board of Supervisors Committee Meeting Room (228) and the Legislative Chamber of the Board are on the second floor of City Hall.



Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



There is accessible parking in the vicinity of City Hall adjacent to Davies Hall and the War Memorial Complex.



Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 235 staff.

The following services are available on request 72 hours prior to the meeting or hearing:

For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.



1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Cont'd from 1/19/95)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CA 94102

**IMPORTANT  
HEARING NOTICE**



**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

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February 7, 1995

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**TO:** Select Committee on Charter Reform  
**FROM:** Budget Analyst  
**SUBJECT:** February 9, 1995 Select Committee on Charter Reform Meeting

Item 1 - File 281-94-1

**Note:** This item was continued by the Select Committee on Charter Reform at its meeting of January 19, 1995.

**Proposed Action:** Charter Amendment to repeal the 1932 Charter and to enact a new Charter.

**Draft:** Second

**Section Affected:** The entire Charter of the City and County of San Francisco

**Description:** The proposed Charter would repeal the City's existing Charter and replace it with a new Charter which would be implemented on July 1, 1996 for structural and budgetary provisions and July 1, 1997 for powers of the Mayor.

The following is a summary of the differences between the City's existing Charter and the proposed Charter:

**Current Charter**

**Proposed Charter**

<u>Charter Size</u> 320 pages and 46 pages of Appendices	80 pages including Appendices
<u>Administrative Provisions</u> Contains references to obsolete programs, procedures and positions and contains detailed administrative procedures that could be transferred to the City's Administrative Code.	Removes obsolete provisions and administrative detail such as references to obsolete programs, procedures and positions. Transfers to Appendices or to the City's Administrative Code two-thirds of the Charter.
<b>Article I: Existence and Powers of the City and County</b>	
Provides the name, boundaries, rights and powers of the City and County of San Francisco. Describes San Francisco as a municipal corporation.	The same except describes San Francisco as a "consolidated City and County."
<b>Article II: Legislative Branch</b>	
<u>Board of Supervisors Size</u> 11 members	Same
<u>Board of Supervisor Salaries</u> Board of Supervisors salaries are currently at the 1982 level of \$23,924 and can only be changed by a Charter Amendment.	Same
<u>Supervisors Election</u> Elected at large	Same
<u>Supervisors' Terms</u> Four year terms limited to two successive terms.	Same
<u>Supervisors Vacancies</u> Filled by Mayor for balance of term.	Same



Current Charter

Proposed Charter

<u>Supervisors Meetings</u> Meetings can be held outside City Hall, if properly noticed.	Same
<u>Meeting Quorums</u> A majority of Supervisors constitutes a quorum; Supervisors must vote when a question is put; Supervisors can be excused from voting by a majority of the Supervisors.	Same
<u>Ordinance and Resolutions</u> Ordinances and resolutions are method of enacting policies or laws (except for motions for Board of Supervisors internal business). Ordinances must deal with a single subject except for appropriation ordinances, require majority vote and require two readings.	Same
<u>Board of Supervisors Budgetary Authority</u> The Board of Supervisors is limited to decreasing or rejecting budget items proposed by the Mayor, but may not increase items (except for capital improvements) or propose its own expenditures. The Board of Supervisor's adopted budget is subject to line item veto by the Mayor.	The Board of Supervisors budgetary powers are expanded to permit the Board of Supervisors to initiate programs, increase line items and initiate supplemental appropriation requests within the limits of the balanced budget and subject to Mayoral veto or line item reduction.
<u>Budget Strategies</u> Annual budgets and mission driven budgets.	Annual budgets and multi-year budgets (for planning purposes), mission driven budgets and any other budget strategies required by ordinance. Multi-year budgets would be for planning purposes.

Memo to Select Committee on Charter Reform  
February 9, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<u>Supplemental Appropriations</u> Supplemental appropriations originate within departments and commissions. Supervisors may approve resolutions urging the Mayor to urge a Commission to urge its department to submit a supplemental appropriation request.	Supervisors would be able to directly initiate supplemental appropriations, subject to available funds and subject to Mayoral veto, line item veto and line item reduction by the Mayor
<u>Veto Override</u> Veto override requires 8 votes within 30 days.	Same
<u>Emergency Ordinances</u> Public emergencies affecting life, health, or property require one reading and requires a two-thirds vote of the Board of Supervisors.	Same
<u>Public's Right to Know/Record Keeping</u> Clerk of the Board maintains records which are made available to the public under the Sunshine Ordinance.	Same
<u>Rates and Fees</u> Most rates, fees and charges for City services are set by boards and commissions. Some require review and approval of the Board of Supervisors.	The Board of Supervisors would have the authority to approve or reject all proposed changes in fees and charges except for those fees at the Port, Airport and garbage collection and disposal rates.
<u>Sale or Lease of Real Property</u> Lease of real property for ten years or more or sale of property requires approval through resolution by the Board of Supervisors.	Same
<u>Abandonment of Transit Routes</u> Approved or rejected by ordinance.	Same

Memo to Select Committee on Charter Reform  
February 9, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<p><u>Fidelity Bonds</u> Far ranging dollar amounts specified for various officials and department heads.</p>	<p>Board of Supervisors would determine which officers would post bonds and in what dollar amounts. The Board of Supervisors would conduct an annual review of bonding requirements.</p>
<p><u>Declaration of Policy/Legislative Referendum</u> Four Supervisors can place an item on a ballot.</p>	<p>Same</p>
<p><u>Board of Supervisors Involvement in Departmental Affairs</u> Members of the Board of Supervisors are prohibited from being involved in the day-to-day operation of City departments. Inquiries are limited to ordinances, resolutions, letters filed with the Clerk of the Board of Supervisors or committee inquiries.</p>	<p>Restricts contact with departments on matters involving personnel matters, contracts, and purchasing. The Board of Supervisors may contact departments in other matters but such contacts are limited to department heads or their designees, boards, or commissions.</p>
<p><u>Budget Analyst</u> Supervisors select the Board's Budget Analyst.</p>	<p>Same</p>
<p><u>President of the Board of Supervisors</u> Highest vote-getter becomes president and in case of a vacancy the Supervisors select a replacement.</p>	<p>Same</p>
<p><u>Clerk of the Board of Supervisors</u> Clerk has civil service status.</p>	<p>The Board of Supervisors would appoint and remove the Clerk of the Board. The incumbent Clerk would maintain his Civil Service status.</p>
<p><u>Staff to the Board of Supervisors</u> Assistant Clerks are appointed by the Clerk of the Board subject to Civil Service. Supervisors are permitted a single Administrative Assistant but they also have a Legislative Assistant whose position is classified as Temporary.</p>	<p>Each member of the Board of Supervisors have two permanent staff positions.</p>

Memo to Select Committee on Charter Reform  
February 9, 1995 Select Committee on Charter Reform Meeting

**Current Charter**

**Proposed Charter**

<u>Compensation for Elected Officials</u> Elected officials except Supervisors, School Board members and Community College Board members, have their pay set by the Salary Standardization Ordinance (SSO) requiring Supervisors' adoption.	Same
<u>Compensation for Commissioners</u> Specifies different compensation rates for the various commissions.	The Board of Supervisors would set equal compensation per meeting for commissioners.
<u>Rejection of Commission Appointments</u> The Supervisors can confirm or reject appointments to the Redevelopment, Port, and the Housing Authority commissions but not the other City commissions.	The Board of Supervisors would have the authority to reject commission appointments within 30 days.
<b>Article III: Executive Branch – Office of the Mayor</b>	
<u>Budget Preparation</u> The Controller assembles the budget items prepared by City Departments and approved by commissions. The Mayor assembles his budget priorities from the Controller's budget. The Mayor can only cut departments' budgets.	The proposed City Administrator (to replace the City's Chief Administrative Officer) would supervise budget preparations, recommendations and program evaluations for all departments for consideration and action by the Mayor. The Mayor would be able to add, subtract or shift funds within and among departments. The Controller's Office would continue to be involved in budget preparation.
<u>Budget/Appropriation Veto Powers</u> Mayor can veto in whole or by line item, or line item reduction.	Same
<u>Supplemental Appropriations</u> Commissions/departments submit supplemental appropriation requests to the Mayor who may approve, disapprove, or reduce and then submits the request to the Board of Supervisors.	The Mayor would be able to submit supplemental appropriation requests directly to the Board of Supervisors without originating from the Commissions/departments.



Memo to Select Committee on Charter Reform  
February 9, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<u>Departmental Accountability</u> The Mayor may only deal with City departments through the Board, Commission or appointed officer of the department.	The Mayor would be granted authority to direct departments.
<u>Speak Before the Board of Supervisors</u> The Mayor can speak before Board or committee meetings.	Same
<u>Acting Mayor</u> The Mayor appoints a Supervisor as Acting Mayor when necessary.	Same
<u>Emergency Powers</u> In public emergency affecting life, health or property, marshals forces to meet the emergency; actions limited to five days unless extended by emergency ordinance.	Same
<u>Vacancies</u> The Mayor fills vacancies in all elective offices.	Same
<u>Measures to Voters</u> The Mayor may submit ordinances or declaration of policy measures to the voters.	Same
<u>Appointing Commissioners</u> The Mayor appoints most commissioners without oversight by the Board of Supervisors, except for confirmation proceedings for appointments to the Redevelopment Commission, Housing Authority, War Memorial, and Port Commission. The Board and other City officers appoint some Commissioners and Board members..	Same except the Supervisors may reject all commission appointments within 30 days. The Mayor would have the authority to remove commissioners except those from the Commissions of; Building Inspection, Civil Service, Ethics, Health, Human Services, Public Utilities, Recreation and Park, Port, Airport, Status of Women, Asian Art and Fine Arts, and War Memorial and Performing Arts, who would be subject to specified suspension and removal procedures.



Memo to Select Committee on Charter Reform  
February 9, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<p><u>Department Head Hiring</u> Commissions hire and fire the directors of City departments.</p>	<p>The Mayor would hire department heads from lists of no less than three qualified candidates provided by the commissions. The Mayor would have the authority to directly fire a department head. In the case of the Police Chief, the Mayor or Police Commission would each be able to remove the Chief.</p>
<p><u>Mayor's Term of Office</u> Four year term limited to two successive terms.</p>	<p>Same</p>
<p><u>Mayor Vacancy</u> The president of the Board of Supervisors becomes Acting Mayor until the Board of Supervisors appoints a replacement Mayor.</p>	<p>Same</p>
<p><u>Chief Administrative Officer (CAO)</u> The Mayor appoints the CAO subject to confirmation by the Board of Supervisors. The CAO has responsibility for the Department of Public Works, Registrar of Voters, the Purchasing Office, and other administrative departments. The CAO serves a ten-year term and may be removed by a two-thirds vote by the Board of Supervisors.</p>	<p>The CAO would be replaced with the position of City Administrator. The Mayor would appoint the City Administrator to a five-year term subject to Board of Supervisors confirmation. The Mayor would be able to remove the City Administrator subject to veto by the Board of Supervisors. The City Administrator would implement the policies of the Mayor and the Board of Supervisors and coordinate administrative activity for all City departments.</p>
<p><u>Controller</u> Appointed for a ten year term and removable only for cause by 2/3 vote of the Board of Supervisors.</p>	<p>Same and the powers and duties are the same.</p>

**Current Charter**

**Proposed Charter**

**Article IV: Executive Branch – Boards, Commissions  
 and Departments**

**Boards and Commissions -- Size and Composition**

Commissions and Boards range in size from five members to 62 members, most terms are four years staggered. Members must be registered voters; residency in San Francisco required for commissions; in cases of boards created by ordinance, residency requirement can be waived in unusual cases.

Commission sizes and terms would remain the same in most cases. The composition would remain the same except youth may serve on boards established by ordinance; appointments must be "representative of the communities of interest and diverse populations in the City and County of San Francisco and have representation of both sexes."

**Commission Responsibilities**

Commission duties and responsibilities range from formulating departmental policy, hiring and firing department heads, setting rates and fees and acting as an appellate body for employee grievances.

The ultimate responsibility for departmental budgets, rate schedules, firing department heads would rest with the Mayor and the Board of Supervisors. Other Commission responsibilities would remain unchanged.

**Annual Report**

Commissions are not currently required to provide an annual report.

By ordinance, commissions would be required to provide an annual report on their activities.

**Rules and Regulations**

Commissions adopt rules and regulations.

Commissions adopt rules and regulations consistent with the Charter and ordinances. This would enable the Board of Supervisors to essentially reject or modify an action of a commission by enacting a superseding ordinance.

Current Charter

Proposed Charter

<p><u>New Charter Commissions</u> The Commission on the Environment, the Commission on Housing and Economic Development, are not currently in the City's Charter and the Commission on the Aging is an ordinance Commission.</p>	<p>The proposed Charter would add the Building Inspection Commission to the Charter in accordance with the Nov. 1994 passage of Proposition G, create the Commission on the Environment, the Commission on Housing and Economic Development, and add the Commission on the Aging to the Charter. In addition, the proposed Charter would change the name of the Social Services Commission to the Human Services Commission.</p>
<p><u>Reorganization of City Departments</u> Departmental reorganization of Charter departments requires voter approval.</p>	<p>City departments could be reorganized by department heads, subject to approval by the City Administrator. Mayor may reorganize duties between departments, subject to veto by the Board of Supervisors within 30 days.</p>
<p><u>Creation of New Departments</u> Not Applicable</p>	<p>Consolidates environmental functions into the Department of the Environment. The details of these functions would be determined at a later date by the Mayor subject to the approval of the Board of Supervisors. Consolidates the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services. Merges the Mayor's Office of Housing, the Mayor's Office of Community Development and the Mayor's Business Office into the Department of Housing and Economic Development. Merges the Assessor and the Recorder's Office into the Assessor-Recorder.</p>

**Current Charter**

**Proposed Charter**

<b>Article V: Executive Branch – Arts and Culture</b>	
This section includes the following arts and culture departments and commissions; the Arts Commission, Asian Art Museum, Fine Arts Museum and War Memorial and Performing Arts Center.	This section would remain the same.
<b>Article VI: Other Elected Officials</b>	
This section includes the powers and duties of other elected officials which includes the Assessor, the City Attorney, the District Attorney, the Public Defender, the Sheriff and the Treasurer.	The powers and duties of these other elected officials would remain unchanged.
<b>Article VII: Judicial Branch</b>	
Includes Superior and Municipal Courts, Adult Probation and Juvenile Probation.	The proposed Charter would not change the powers and duties of any of the departments under Article VII: Judicial Branch.
<b>Article VIII: Education and Libraries</b>	
Includes the Unified School District, the Community College District, the Public Library Commission, and the Law Library.	The proposed Charter would not change the powers and duties of any of the departments under Article VIII: Education and Libraries.
<b>Article IX: Financial Provisions</b>	
<b><u>Budget Process</u></b> The Mayor proposes an annual budget within specified time frames. The Board of Supervisors can only reduce items in the proposed budget except capital, and requires mission-based budget (goals, plans, services to be provided and priorities). Requires an interim and final Annual Appropriation Ordinance.	The Mayor would propose the budget and the Board of Supervisors would be able to increase or decrease the budget as long as there is no overall increase to total spending within each fund. Would also require additional multi-year capital budget information and timelines would be set by ordinance.



**Current Charter**

**Proposed Charter**

<p><u>Mayoral Veto</u> The Mayor can line item veto with a possible Board of Supervisors override by a two-thirds vote.</p>	<p>Same</p>
<p><u>Bonds and Lease Financing</u> Allows for bonds to be issued under State law and local ordinances. Requires voter approval. General obligation bonds are subject to a limitation equal to three percent of the assessed value of all taxable real and personal property. Requires voter approval of revenue bonds and lease financing with certain exceptions.</p>	<p>Would have the same overall controls including voter approval. The detailed provisions would be moved to the City's Administrative Code.</p>
<p><u>Cash Reserves</u> Requires the City to set aside a fund for cash flow purposes equal to 10 percent of the property tax levy.</p>	<p>Same</p>
<p><u>Audit Committee</u> An audit advisory committee is appointed by the Mayor and the Board of Supervisors.</p>	<p>The Board of Supervisors would establish an audit committee. The audit committee would maintain a direct and separate line of communication between the Board of Supervisors and the City's independent auditor as well as meet with the independent auditor to review the audited annual financial statement and the auditor's report and recommend appropriate action that the Board of Supervisors should take to implement audit recommendations.</p>
<p><b>Article X: Personnel Administration</b></p>	
<p>This section covers personnel administration which includes the Civil Service Commission and the Department of Human Resources.</p>	<p>The proposed Charter would not change the powers and duties of any of the departments and commissions under Article X: Personnel Administration.</p>



**Current Charter**

**Proposed Charter**

**Article XI: Employer-Employee Relations System**

This section establishes employer-employee relations, the Employee Relations Office and the methods of labor negotiating and wage setting as updated by Proposition F (1994).

The proposed Charter would not change the employee-employer relations system and would place all of the current wage setting and negotiating systems, disciplinary and exoneration procedures and prevailing wages by incorporating them in the proposed Appendix A-Employment Provisions.

**Article XII: Employee Retirement and Health Service Systems**

This Section establishes the Retirement Board/System and the Health Service Board/System.

This section would remain the same except specific sections awarding benefits are moved to Appendix A-Employment Provisions which could not be changed without a charter amendment. The recent addition permitting a retiree to serve on the Retirement Board and Health Service Board would be incorporated in the proposed Charter.

**Article XIII: Elections**

This section covers the terms of elective offices of four years and specifies when those elections will occur. In addition, includes provisions in runoff elections, special municipal elections and establishes the Registrar of Voters.

Everything would remain the same in this section except the Registrar of Voters would be named the Department of Elections and the Director of Elections would be appointed by the City Administrator.

**Article XIV: Initiative, Referendum and Recall**

Provides for voter initiated referendums and recall elections

No changes would be made to this section.

**Current Charter**

**Proposed Charter**

<b>Article XV: Ethics</b>	
Includes provisions for an Ethics Commission, financial disclosure, conflict of interest, penalty for official misconduct, suspension and removal, and dual office holdings.	The proposed Charter would add (1) any non-elected commissioner who seeks elective office must resign the commission post, and (2) bars persons from holding a position with the City while being employed with the State or Federal governments, provided the annual salary for the City position exceeds \$2,500.
<b>Article XVI: Miscellaneous Provisions</b>	
This section includes cable car routes, City acquisition of utilities, Utility Revenue and expenditures, Airport Revenue Funds, California Academy of Sciences, Cultural, Educational and Recreational Appropriations, California Academy of Sciences, Open Space Fund, Children's Fund, Library Preservation Fund, Recreation and Parks; Buildings and Lands, and Franchises.	Article XVI: Miscellaneous Provisions would not be changed in the proposed Charter.
<b>Article XVII: Definitions</b>	
Provides definitions of terms including "business day", "discrimination" and "elector".	The definitions would not change in the proposed Charter, except for the addition of "Domestic partners," defined as those persons registered pursuant to the Domestic Partner ordinance.
<b>Article XVIII: Transition Provisions</b>	
The current Charter does not include this section.	This section would contain transition provisions that, once implemented, would be stricken from the Charter. This section transfers 108 sections from the 1932 Charter to the City's Administrative Code that are procedural in nature.

**Current Charter**

**Proposed Charter**

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<p><u>Revision of Rules and Regulations</u> Not applicable</p>	<p>Following adoption of the proposed Charter, departments would review their rules and regulations and revise, if need be, to conform with the proposed Charter.</p>
<p><u>Protection of Incumbent Officers and Employees</u> Not applicable</p>	<p>Would protect the Civil Service rights of all officers and employees in cases where the proposed Charter would provide for changes or transfer of functions.</p>
<p><u>Changes in Offices and Positions</u> Not applicable</p>	<p>This section would clarify the roles and protects the incumbency rights, of certain officers (i.e. CAO becomes the City Administrator; Controller's term would continue; The Clerk of the Board would retain his Civil Service rights; the General Manager of Social Service would become the Director of Human Services; the incumbent County Clerk-Recorder would maintain his civil service status when the office is merged with the Assessor's Office.</p>
<p><u>Provisional Appointments</u> There are some City employees who have provisional appointments. According to the Civil Service Commission, there are currently approximately 2,200 provisional appointments. Provisional appointments mean an employee can have a job provided that employee passes the Civil Service exam. Because of their status, these employees do not receive retirement benefits or step pay increases.</p>	<p>This section would create a system to make provisional City employees permanent within five years after the passage of the proposed Charter.</p>

**Effect on the Cost  
of Government:**

The Controller reports that the proposed new Charter would neither increase nor decrease the cost to City government.

**Comments:**

1. The proposed consolidation of the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services could result in savings to the City if the various administrative positions and functions are merged and positions are eliminated. The proposed Charter does not indicate how the consolidation would be implemented. Similarly, there would be savings to the City associated with the consolidation of the Mayor's Office of Housing, Office of Community Development and Business Office into the Department of Housing and Economic Development if the various administrative positions and functions are merged and positions are eliminated. Finally, the proposed Department of the Environment could also result in savings to the City if the various administrative positions and functions are merged and positions are eliminated.

2. Article XVIII, Section 18.110 of the proposed new Charter, establishes a procedure which could make all provisional City employees permanent within five years after passage of the proposed Charter. Becoming permanent requires Civil Service to conduct an exam and the incumbent to pass the exam. There would be a cost to the City in providing retirement benefits to such permanent employees which are not provided to provisional employees.

According to Mr. Vernon Nulph of the Human Resources Department, there are approximately 2,200 provisional City employees. As a rough estimate, at an average annual salary of \$50,000 and the City's current retirement contribution rate of 5.39 percent, the annual increased cost to the City to make these provisional employees permanent would be approximately \$5,929,000 (2,200 employees x \$50,000 average salary x 5.39% retirement contribution rate). According to Mr. Wendall Pryor of the Department of Human Resources, it is the policy of the Civil Service Commission to conduct exams, and to maintain current lists of eligibles in a timely manner to limit the number of provisional employees. Thus, even if the proposed new Charter were not

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



approved by the voters, the City would incur increased costs associated with making provisional employees permanent, as well as some savings associated with decreasing the Departmental time and effort involved in provisional hiring processes.

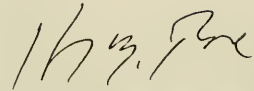
3. There are currently 24 commissions and boards with a total of 234 members in the City and County of San Francisco. Of those, ten do not receive any form of compensation. Of the remaining 14 boards and commissions, ten receive \$1,200 annually, two receive \$15 per meeting, and two receive \$25 per meeting. The total cost to the City for these commissioners' compensation is approximately \$105,000 annually.

If all 24 commission and boards were to receive the same level of compensation, (except for the Arts Boards, with 100 members in total, who would receive no compensation) as is specified in the proposed Charter Amendment, the City would incur additional costs associated with the ten boards and commissions that do not currently receive compensation and possibly incur increased costs for those boards and commissions that receive less compensation than others in the City. If the Board of Supervisors were to establish commission and board compensation for all 134 members (234 total less 100 Arts Boards members) at \$1,200 per year (the most common current form of compensation) the City would incur increased costs of approximately \$55,800 annually (134 commission and board members x \$1,200 = \$160,800 and \$160,800 minus \$105,000 = \$55,800.

4. The current proposed Charter includes Patrol Special Police Officers (PSO). PSOs receive Police Officer training and work at special beats or territories as fixed by the Police Commission. The Chief of Police recommends that the PSOs be removed from the Charter and placed in the Administrative Code to permit the Police Commission, Chief of Police and Board of Supervisors to exercise management and policy control over the PSOs without the necessity for a Charter amendment.



Memo to Select Committee on Charter Reform  
February 9, 1995 Select Committee on Charter Reform Meeting



Harvey M. Rose

cc: Supervisor Kaufman  
Supervisor Leal  
Supervisor Teng  
President Shelley  
Supervisor Alioto  
Supervisor Ammiano  
Supervisor Bierman  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Kennedy  
Supervisor Migden  
Clerk of the Board  
Chief Administrative Officer  
Controller  
Teresa Serata  
Robert Oakes  
Ted Lakey

95  
BOARD of SUPERVISORS

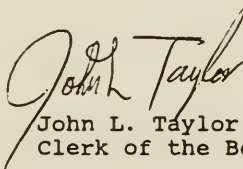


401 Van Ness Avenue, Room 308  
San Francisco 94102-4532  
554-5184

March 2, 1995

111  
NOTICE OF RESCHEDULED MEETING  
SELECT COMMITTEE ON CHARTER REFORM

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Select Committee on Charter Reform for Thursday, March 9, 1995, at 10:00 a.m., has been rescheduled for Thursday, March 16, 1995, at 10:00 a.m., Interim City Hall, 401 Van Ness Avenue, Fourth Floor, Room 410.

  
John L. Taylor  
Clerk of the Board

POSTED: MARCH 2, 1995



# CALENDAR

ALL COMMITTEES OF THE BOARD OF  
SUPERVISORS WILL RELOCATE TO  
401 VAN NESS AVENUE ROOM 410  
EFFECTIVE FEBRUARY 21, 1995

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

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### RESCHEDULED MEETING

THURSDAY, MARCH 16, 1995 - 10:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVE., ROOM 410  
SAN FRANCISCO, CA 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Mabel Teng

CLERK: Rosemary Little-Horanzky

\* \* \* \* \*

## Disability Access

The Board of Supervisors Committee Meeting Room 410 and the Legislative Chamber of the Board are on the fourth floor of the Veterans Building.



Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



There is accessible parking in the vicinity of City Hall adjacent to Davies Hall and the War Memorial Complex.



Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 72 hours prior to the meeting or hearing:

For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

RESCHEDULED MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MARCH 16, 1995 - 10:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Continued from February 9, 1995)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

D 4524

IMPORTANT  
HEARING NOTICE

Bill Lynch  
Documents Section  
SF Public Library-Main Branch  
Civic Center  
San Francisco CA



**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

March 14, 1995

**TO:** Select Committee on Charter Reform

**FROM:** Budget Analyst

**SUBJECT:** March 16, 1995 Select Committee on Charter Reform Meeting

Item 1 - File 281-94-1

**Note:** This item was continued by the Select Committee on Charter Reform at its meeting of February 9, 1995.

**Proposed Action:** Charter Amendment to repeal the 1932 Charter and to enact a new Charter.

**Draft:** Second

**Section Affected:** The entire Charter of the City and County of San Francisco

**Description:** The proposed Charter would repeal the City's existing Charter and replace it with a new Charter which would be implemented on July 1, 1996 for structural and budgetary provisions and July 1, 1997 for powers of the Mayor.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

The following is a summary of the differences between the City's existing Charter and the proposed Charter:

<u>Current Charter</u>	<u>Proposed Charter</u>
<u>Charter Size</u> 320 pages and 46 pages of Appendices	80 pages including Appendices
<u>Administrative Provisions</u> Contains references to obsolete programs, procedures and positions and contains detailed administrative procedures that could be transferred to the City's Administrative Code.	Removes obsolete provisions and administrative detail such as references to obsolete programs, procedures and positions. Transfers to Appendices or to the City's Administrative Code two-thirds of the Charter.
<b>Article I: Existence and Powers of the City and County</b>	
Provides the name, boundaries, rights and powers of the City and County of San Francisco. Describes San Francisco as a municipal corporation.	The same except describes San Francisco as a "consolidated City and County."
<b>Article II: Legislative Branch</b>	
<u>Board of Supervisors Size</u> 11 members	Same
<u>Board of Supervisor Salaries</u> Board of Supervisors salaries are currently at the 1982 level of \$23,924 and can only be changed by a Charter Amendment.	Same
<u>Supervisors Election</u> Elected at large	Same
<u>Supervisors' Terms</u> Four year terms limited to two successive terms.	Same
<u>Supervisors Vacancies</u> Filled by Mayor for balance of term.	Same

**Current Charter**

**Proposed Charter**

<u><b>Supervisors Meetings</b></u> Meetings can be held outside City Hall, if properly noticed.	Same
<u><b>Meeting Quorums</b></u> A majority of Supervisors constitutes a quorum; Supervisors must vote when a question is put; Supervisors can be excused from voting by a majority of the Supervisors.	Same
<u><b>Ordinance and Resolutions</b></u> Ordinances and resolutions are method of enacting policies or laws (except for motions for Board of Supervisors internal business). Ordinances must deal with a single subject except for appropriation ordinances, require majority vote and require two readings.	Same
<u><b>Board of Supervisors Budgetary Authority</b></u> The Board of Supervisors is limited to decreasing or rejecting budget items proposed by the Mayor, but may not increase items (except for capital improvements) or propose its own expenditures. The Board of Supervisor's adopted budget is subject to line item veto by the Mayor.	The Board of Supervisors budgetary powers are expanded to permit the Board of Supervisors to initiate programs, increase line items and initiate supplemental appropriation requests within the limits of the balanced budget and of the Fund allocations set by the Mayor, and subject to Mayoral veto or line item reduction.
<u><b>Budget Strategies</b></u> Annual budgets and mission driven budgets.	Annual budgets and multi-year budgets (for planning purposes), mission driven budgets and any other budget strategies required by ordinance. Multi-year budgets would be for planning purposes.

Memo to Select Committee on Charter Reform  
 March 16, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<u>Supplemental Appropriations</u> Supplemental appropriations originate within departments and commissions. Supervisors may approve resolutions urging the Mayor to urge a Commission to urge its department to submit a supplemental appropriation request.	Supervisors would be able to directly initiate supplemental appropriations, subject to available funds and subject to Mayoral veto, line item veto and line item reduction by the Mayor
<u>Veto Override</u> Veto override requires 8 votes within 30 days.	Same
<u>Emergency Ordinances</u> Public emergencies affecting life, health, or property require one reading and requires a two-thirds vote of the Board of Supervisors.	Same
<u>Public's Right to Know/Record Keeping</u> Clerk of the Board maintains records which are made available to the public under the Sunshine Ordinance.	Same
<u>Rates and Fees</u> Most rates, fees and charges for City services are set by boards and commissions. Some require review and approval of the Board of Supervisors.	The Board of Supervisors would have the authority to approve or reject all proposed changes in fees and charges except for those fees at the Port, Airport and garbage collection and disposal rates.
<u>Sale or Lease of Real Property</u> Lease of real property for ten years or more or sale of property requires approval through resolution by the Board of Supervisors.	Same
<u>Abandonment of Transit Routes</u> Approved or rejected by ordinance.	Same

Memo to Select Committee on Charter Reform  
 March 16, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<u>Fidelity Bonds</u> Far ranging dollar amounts specified for various officials and department heads.	Board of Supervisors would determine which officers would post bonds and in what dollar amounts. The Board of Supervisors would conduct an annual review of bonding requirements.
<u>Declaration of Policy/Legislative Referendum</u> Four Supervisors can place an item on a ballot.	Same
<u>Board of Supervisors Involvement in Departmental Affairs</u> Members of the Board of Supervisors are prohibited from being involved in the day-to-day operation of City departments. Inquiries are limited to ordinances, resolutions, letters filed with the Clerk of the Board of Supervisors or committee inquiries.	Restricts contact with departments on matters involving personnel matters, contracts, and purchasing. The Board of Supervisors may contact departments in other matters but such contacts are limited to department heads or their designees, boards, or commissions.
<u>Budget Analyst</u> Supervisors select the Board's Budget Analyst.	Same
<u>President of the Board of Supervisors</u> Highest vote-getter becomes president and in case of a vacancy the Supervisors select a replacement.	Same
<u>Clerk of the Board of Supervisors</u> Clerk has civil service status.	The Board of Supervisors would appoint and remove the Clerk of the Board. The incumbent Clerk would maintain his Civil Service status.
<u>Staff to the Board of Supervisors</u> Assistant Clerks are appointed by the Clerk of the Board subject to Civil Service. Supervisors are permitted a single Administrative Assistant but they also have a Legislative Assistant whose position is classified as Temporary.	Each member of the Board of Supervisors have two permanent staff positions.



**Current Charter**

**Proposed Charter**

<u>Compensation for Elected Officials</u> Elected officials except Supervisors, School Board members and Community College Board members, have their pay set by the Salary Standardization Ordinance (SSO) requiring Supervisors' adoption.	Same
<u>Compensation for Commissioners</u> Specifies different compensation rates for the various commissions.	The Board of Supervisors would set equal compensation per meeting for commissioners.
<u>Rejection of Commission Appointments</u> The Supervisors can confirm or reject appointments to the Redevelopment, Port, and the Housing Authority commissions but not the other City commissions.	The Board of Supervisors would have the authority to reject commission appointments within 30 days.
<p align="center"><b>Article III: Executive Branch – Office of the Mayor</b></p>	
<u>Budget Preparation</u> The Controller assembles the budget items prepared by City Departments and approved by commissions. The Mayor assembles his budget priorities from the Controller's budget. The Mayor can only cut departments' budgets.	The proposed City Administrator (to replace the City's Chief Administrative Officer) would supervise budget preparations, recommendations and program evaluations for all departments for consideration and action by the Mayor. The Mayor would be able to add, subtract or shift funds within and among departments. The Controller's Office would continue to be involved in budget preparation.
<u>Budget/Appropriation Veto Powers</u> Mayor can veto in whole or by line item, or line item reduction.	Same
<u>Supplemental Appropriations</u> Commissions/departments submit supplemental appropriation requests to the Mayor who may approve, disapprove, or reduce and then submits the request to the Board of Supervisors.	The Mayor would be able to submit supplemental appropriation requests directly to the Board of Supervisors without originating from the Commissions/departments.

Memo to Select Committee on Charter Reform  
 March 16, 1995 Select Committee on Charter Reform Meeting

**Current Charter**

**Proposed Charter**

<u><b>Departmental Accountability</b></u> The Mayor may only deal with City departments through the Board, Commission or appointed officer of the department.	The Mayor would be granted authority to direct departments.
<u><b>Speak Before the Board of Supervisors</b></u> The Mayor can speak before Board or committee meetings.	Same
<u><b>Acting Mayor</b></u> The Mayor appoints a Supervisor as Acting Mayor when necessary.	Same
<u><b>Emergency Powers</b></u> In public emergency affecting life, health or property, marshals forces to meet the emergency; actions limited to five days unless extended by emergency ordinance.	Same
<u><b>Vacancies</b></u> The Mayor fills vacancies in all elective offices.	Same
<u><b>Measures to Voters</b></u> The Mayor may submit ordinances or declaration of policy measures to the voters.	Same
<u><b>Appointing Commissioners</b></u> The Mayor appoints most commissioners without oversight by the Board of Supervisors, except for confirmation proceedings for appointments to the Redevelopment Commission, Housing Authority, War Memorial, and Port Commission. The Board and other City officers appoint some Commissioners and Board members.	Same except the Supervisors may reject all commission appointments within 30 days. The Mayor would have the authority to remove commissioners except those from the Commissions of; Building Inspection, Civil Service, Ethics, Health, Human Services, Public Utilities, Recreation and Park, Port, Airport, Status of Women, Asian Art and Fine Arts, and War Memorial and Performing Arts, who would be subject to specified suspension and removal procedures.

Memo to Select Committee on Charter Reform  
 March 16, 1995 Select Committee on Charter Reform Meeting

Current Charter

Proposed Charter

<u>Department Head Hiring</u> Commissions hire and fire the directors of City departments.	The Mayor would hire department heads from lists of no less than three qualified candidates provided by the commissions. The Mayor would have the authority to directly fire a department head. In the case of the Police Chief, the Mayor or Police Commission would each be able to remove the Chief.
<u>Mayor's Term of Office</u> Four year term limited to two successive terms.	Same
<u>Mayor Vacancy</u> The president of the Board of Supervisors becomes Acting Mayor until the Board of Supervisors appoints a replacement Mayor.	Same
<u>Chief Administrative Officer (CAO)</u> The Mayor appoints the CAO subject to confirmation by the Board of Supervisors. The CAO has responsibility for the Department of Public Works, Registrar of Voters, the Purchasing Office, and other administrative departments. The CAO serves a ten-year term and may be removed by a two-thirds vote by the Board of Supervisors.	The CAO would be replaced with the position of City Administrator. The Mayor would appoint the City Administrator to a five-year term subject to Board of Supervisors confirmation. The Mayor would be able to remove the City Administrator with the approval of the Board of Supervisors. The City Administrator would implement the policies of the Mayor and the Board of Supervisors and coordinate administrative activity for all City departments.
<u>Controller</u> Appointed for a ten year term and removable only for cause by 2/3 vote of the Board of Supervisors.	Same and the powers and duties are the same.

Current Charter

Proposed Charter

**Article IV: Executive Branch – Boards, Commissions  
 and Departments**

Boards and Commissions -- Size and Composition

Commissions and Boards range in size from five members to 62 members, most terms are four years staggered. Members must be registered voters; residency in San Francisco required for commissions; in cases of boards created by ordinance, residency requirement can be waived in unusual cases.

Commission sizes and terms would remain the same in most cases. The composition would remain the same except youth may serve on boards established by ordinance; appointments must be “representative of the communities of interest and diverse populations in the City and County of San Francisco and have representation of both sexes.”

Commission Responsibilities

Commission duties and responsibilities range from formulating departmental policy, hiring and firing department heads, setting rates and fees and acting as an appellate body for employee grievances.

The ultimate responsibility for departmental budgets, rate schedules, firing department heads would rest with the Mayor and the Board of Supervisors. Other Commission responsibilities would remain unchanged.

Annual Report

Commissions are not currently required to provide an annual report.

By ordinance, commissions would be required to provide an annual report on their activities.

Rules and Regulations

Commissions adopt rules and regulations.

Commissions adopt rules and regulations consistent with the Charter and ordinances. This would enable the Board of Supervisors to essentially reject or modify an action of a commission by enacting a superseding ordinance.



**Current Charter**

**Proposed Charter**

<p><u>New Charter Commissions</u>          The Commission on the Environment, the Commission on Housing and Economic Development, are not currently in the City's Charter and the Commission on the Aging is an ordinance Commission.</p>	<p>The proposed Charter would add the Building Inspection Commission to the Charter in accordance with the Nov. 1994 passage of Proposition G, create the Commission on the Environment, the Commission on Housing and Economic Development, and add the Commission on the Aging to the Charter. In addition, the proposed Charter would change the name of the Social Services Commission to the Human Services Commission.</p>
<p><u>Reorganization of City Departments</u>          Departmental reorganization of Charter departments requires voter approval.</p>	<p>City departments could be reorganized by department heads, subject to approval by the City Administrator. Mayor may reorganize duties between departments, except those headed by elected officials, subject to veto by the Board of Supervisors within 30 days.</p>
<p><u>Creation of New Departments</u>          Not Applicable</p>	<p>Consolidates environmental functions into the Department of the Environment. The details of these functions would be determined at a later date by the Mayor subject to the approval of the Board of Supervisors. Consolidates the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services. Merges the Mayor's Office of Housing, the Mayor's Office of Community Development and the Mayor's Business Office into the Department of Housing and Economic Development. Merges the Assessor and the Recorder's Office into the Assessor-Recorder.</p>



**Current Charter**

**Proposed Charter**

**Article V: Executive Branch – Arts and Culture**

This section includes the following arts and culture departments and commissions; the Arts Commission, Asian Art Museum, Fine Arts Museum and War Memorial and Performing Arts Center.

This section would remain the same.

**Article VI: Other Elected Officials**

This section includes the powers and duties of other elected officials which includes the Assessor, the City Attorney, the District Attorney, the Public Defender, the Sheriff and the Treasurer.

The powers and duties of these other elected officials would remain unchanged.

**Article VII: Judicial Branch**

Includes Superior and Municipal Courts, Adult Probation and Juvenile Probation.

The proposed Charter would not change the powers and duties of any of the departments under Article VII: Judicial Branch.

**Article VIII: Education and Libraries**

Includes the Unified School District, the Community College District, the Public Library Commission, and the Law Library.

The proposed Charter would not change the powers and duties of any of the departments under Article VIII: Education and Libraries.

**Article IX: Financial Provisions**

**Budget Process**

The Mayor proposes an annual budget within specified time frames. The Board of Supervisors can only reduce items in the proposed budget except capital, and requires mission-based budget (goals, plans, services to be provided and priorities). Requires an interim and final Annual Appropriation Ordinance.

The Mayor would propose the budget and the Board of Supervisors would be able to increase or decrease the budget as long as there is no overall increase to total spending within each fund. Would also require additional multi-year capital budget information and timelines would be set by ordinance.

Memo to Select Committee on Charter Reform  
 March 16, 1995 Select Committee on Charter Reform Meeting

**Current Charter**

**Proposed Charter**

<u>Mayoral Veto</u> The Mayor can line item veto with a possible Board of Supervisors override by a two-thirds vote.	Same
<u>Bonds and Lease Financing</u> Allows for bonds to be issued under State law and local ordinances. Requires voter approval. General obligation bonds are subject to a limitation equal to three percent of the assessed value of all taxable real and personal property. Requires voter approval of revenue bonds and lease financing with certain exceptions.	Would have the same overall controls including voter approval. The detailed provisions would be moved to the City's Administrative Code.
<u>Cash Reserves</u> Requires the City to set aside a fund for cash flow purposes equal to 10 percent of the property tax levy.	Same
<u>Audit Committee</u> An audit advisory committee is appointed by the Mayor and the Board of Supervisors.	The Board of Supervisors would establish an audit committee. The audit committee would maintain a direct and separate line of communication between the Board of Supervisors and the City's independent auditor as well as meet with the independent auditor to review the audited annual financial statement and the auditor's report and recommend appropriate action that the Board of Supervisors should take to implement audit recommendations.
<b>Article X: Personnel Administration</b>	
This section covers personnel administration which includes the Civil Service Commission and the Department of Human Resources.	The proposed Charter would not change the powers and duties of any of the departments and commissions under Article X: Personnel Administration.

**Current Charter**

**Proposed Charter**

**Article XI: Employer-Employee Relations System**

This section establishes employer-employee relations, the Employee Relations Office and the methods of labor negotiating and wage setting as updated by Proposition F (1994).

The proposed Charter would not change the employee-employer relations system and would place all of the current wage setting and negotiating systems, disciplinary and exoneration procedures and prevailing wages by incorporating them in the proposed Appendix A-Employment Provisions.

**Article XII: Employee Retirement and Health Service Systems**

This Section establishes the Retirement Board/System and the Health Service Board/System.

This section would remain the same except specific sections awarding benefits are moved to Appendix A-Employment Provisions which could not be changed without a charter amendment. The recent addition permitting a retiree to serve on the Retirement Board and Health Service Board would be incorporated in the proposed Charter.

**Article XIII: Elections**

This section covers the terms of elective offices of four years and specifies when those elections will occur. In addition, includes provisions in runoff elections, special municipal elections and establishes the Registrar of Voters.

Everything would remain the same in this section except the Registrar of Voters would be named the Department of Elections and the Director of Elections would be appointed by the City Administrator.

**Article XIV: Initiative, Referendum and Recall**

Provides for voter initiated referendums and recall elections

No changes would be made to this section.

**Current Charter**

**Proposed Charter**

<b>Article XV: Ethics</b>	
Includes provisions for an Ethics Commission, financial disclosure, conflict of interest, penalty for official misconduct, suspension and removal, and dual office holdings.	The proposed Charter would add (1) any non-elected commissioner who seeks elective office must resign the commission post, and (2) bars persons from holding a position with the City while being employed with the State or Federal governments, provided the annual salary for the City position exceeds \$2,500.
<b>Article XVI: Miscellaneous Provisions</b>	
This section includes cable car routes, City acquisition of utilities, Utility Revenue and expenditures, Airport Revenue Funds, California Academy of Sciences, Cultural, Educational and Recreational Appropriations, California Academy of Sciences, Open Space Fund, Children's Fund, Library Preservation Fund, Recreation and Parks; Buildings and Lands, and Franchises.	Article XVI: Miscellaneous Provisions would not be changed in the proposed Charter.
<b>Article XVII: Definitions</b>	
Provides definitions of terms including "business day", "discrimination" and "elector".	The definitions would not change in the proposed Charter, except for the addition of "Domestic partners," defined as those persons registered pursuant to the Domestic Partner ordinance.
<b>Article XVIII: Transition Provisions</b>	
The current Charter does not include this section.	This section would contain transition provisions that, once implemented, would be stricken from the Charter. This section transfers 108 sections from the 1932 Charter to the City's Administrative Code that are procedural in nature.



**Current Charter**

**Proposed Charter**

<u><b>Initiative Ordinances</b></u> Initiative ordinances are attached to the current Charter.	Initiatives ordinances would not be attached to the proposed Charter, but included in the City's Administrative Code.
<u><b>Revision of Rules and Regulations</b></u> Not applicable	Following adoption of the proposed Charter, departments would review their rules and regulations and revise, if need be, to conform with the proposed Charter.
<u><b>Protection of Incumbent Officers and Employees</b></u> Not applicable	Would protect the Civil Service rights of all officers and employees in cases where the proposed Charter would provide for changes or transfer of functions.
<u><b>Changes in Offices and Positions</b></u> Not applicable	This section would clarify the roles and protects the incumbency rights, of certain officers (i.e. CAO becomes the City Administrator; Controller's term would continue; The Clerk of the Board would retain his Civil Service rights; the General Manager of Social Service would become the Director of Human Services; the incumbent County Clerk-Recorder would maintain his civil service status when the office is merged with the Assessor's Office.
<u><b>Provisional Appointments</b></u> There are some City employees who have provisional appointments. According to the Civil Service Commission, there are currently approximately 2,200 provisional appointments. Provisional appointments mean an employee can have a job provided that employee passes the Civil Service exam. Because of their status, these employees do not receive retirement benefits or step pay increases.	This section would create a system to make provisional City employees permanent within five years after the passage of the proposed Charter.



**Effect on the Cost  
of Government:**

The Controller reports that the proposed new Charter would neither increase nor decrease the cost to City government.

**Comments:**

1. The proposed consolidation of the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services could result in savings to the City if the various administrative positions and functions are merged and positions are eliminated. The proposed Charter does not indicate how the consolidation would be implemented. Similarly, there would be savings to the City associated with the consolidation of the Mayor's Office of Housing, Office of Community Development and Business Office into the Department of Housing and Economic Development if the various administrative positions and functions are merged and positions are eliminated. Finally, the proposed Department of the Environment could also result in savings to the City if the various administrative positions and functions are merged and positions are eliminated.

2. Article XVIII, Section 18.110 of the proposed new Charter, establishes a procedure which could make all provisional City employees permanent within five years after passage of the proposed Charter. Becoming permanent requires Civil Service to conduct an exam and the incumbent to pass the exam. There would be a cost to the City in providing retirement benefits to such permanent employees which are not provided to provisional employees.

According to Mr. Vernon Nulph of the Human Resources Department, there are approximately 2,200 provisional City employees. As a rough estimate, at an average annual salary of \$50,000 and the City's current retirement contribution rate of 5.39 percent, the annual increased cost to the City to make these provisional employees permanent would be approximately \$5,929,000 (2,200 employees x \$50,000 average salary x 5.39% retirement contribution rate). According to Mr. Wendall Pryor of the Department of Human Resources, it is the policy of the Civil Service Commission to conduct exams, and to maintain current lists of eligibles in a timely manner to limit the number of provisional employees. Thus, even if the proposed new Charter were not

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

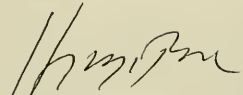
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If all 24 commission and boards were to receive the same level of compensation, (except for the Arts Boards, with 100 members in total, who would receive no compensation) as is specified in the proposed Charter Amendment, the City would incur additional costs associated with the ten boards and commissions that do not currently receive compensation and possibly incur increased costs for those boards and commissions that receive less compensation than others in the City. If the Board of Supervisors were to establish commission and board compensation for all 134 members (234 total less 100 Arts Boards members) at \$1,200 per year (the most common current form of compensation) the City would incur increased costs of approximately \$55,800 annually (134 commission and board members x \$1,200 = \$160,800 and \$160,800 minus \$105,000 = \$55,800.

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Memo to Select Committee on Charter Reform  
March 16, 1995 Select Committee on Charter Reform Meeting



Harvey M. Rose

cc: Supervisor Kaufman  
Supervisor Leal  
Supervisor Teng  
President Shelley  
Supervisor Alioto  
Supervisor Ammiano  
Supervisor Bierman  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Kennedy  
Supervisor Migden  
Clerk of the Board  
Chief Administrative Officer  
Controller  
Teresa Serata  
Robert Oakes  
Ted Lakey

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# CALENDAR

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APR 5 1995

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## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

SPECIAL MEETING

WEDNESDAY, APRIL 5, 1995 - 6:00 P.M.

SOUTHEAST COMMUNITY FACILITY  
COMMUNITY MEETING ROOM  
1800 OAKDALE AVE. at PHELPS ST.  
SAN FRANCISCO, CA 94124

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Mabel Teng

CLERK: Rosemary Little-Horanzky

\* \* \* \* \*

### Disability Access

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**SPECIAL MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO**

WEDNESDAY, APRIL 5, 1995 - 6:00 P.M.

SOUTHEAST COMMUNITY FACILITY  
COMMUNITY MEETING ROOM  
1800 OAKDALE AVE. AT PHELPS ST.  
SAN FRANCISCO, CA. 94124

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Continued from March 16, 1995)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

IMPORTANT  
HEARING NOTICE

Bill Lynch  
Documents Section  
SF Public Library-Main Branch  
Civic Center  
San Francisco CA

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BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308  
San Francisco 94102-4532  
554-5184

March 15, 1995

DOCUMENTS DEPT.

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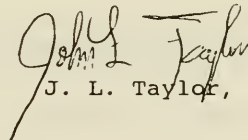
SAN FRANCISCO  
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NOTICE OF SPECIAL MEETING  
SELECT COMMITTEE ON CHARTER REFORM

Tuesday, April 18, 1995 at 6:00 p.m.  
Hall of Flowers, Auditorium  
San Francisco County Fair Building  
Ninth Avenue and Lincoln Way  
San Francisco, California 94122

Notice is hereby given that the Board of Supervisors of the City and County of San Francisco SELECT COMMITTEE ON CHARTER REFORM will hold a Special Meeting on April 18, 1995 at 6:00 p.m. at the Hall of Flowers, Auditorium, San Francisco County Fair Building at Ninth Avenue and Lincoln Way, San Francisco, California 94122.

The item to be considered at this meeting is File 281-94-1. [Ballot Measure, New Charter] Hearing to consider Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman, sponsor). A detailed Calendar of Matters will be published in the San Francisco Examiner on Saturday, April 15, 1995 and will be available to the public at the Clerk's Office at 401 Van Ness Avenue, Room 308 and at the Hall of Flowers.

  
J. L. Taylor, Clerk

POSTED: MARCH 15, 1995



155  
195  
CALENDAR

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

SPECIAL MEETING

BUSINESS-SCIENCE  
DOCUMENTS DEPT.

APR 14 1995

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TUESDAY, APRIL 18, 1995 - 6:00 P.M.

HALL OF FLOWERS, AUDITORIUM  
SAN FRANCISCO COUNTY FAIR BUILDING  
NINTH AVENUE AND LINCOLN WAY  
SAN FRANCISCO, CA. 94122

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

\* \* \* \* \*

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SPECIAL MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, APRIL 18, 1995 - 6:00 P.M.      HALL OF FLOWERS, AUDITORIUM  
SAN FRANCISCO COUNTY FAIR BUILDING  
NINTH AVENUE AND LINCOLN WAY  
SAN FRANCISCO, CA. 94122

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Continued from April 5, 1995)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

IMPORTANT  
HEARING NOTICE

D 3265

Bill Lynch  
Documents Section  
SF Public Library-Main Branch  
Civic Center  
San Francisco CA

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195 " BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308  
San Francisco 94102-4532  
554-5184

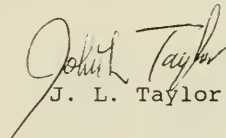
March 27, 1995

NOTICE OF SPECIAL MEETING  
SELECT COMMITTEE ON CHARTER REFORM

Thursday, April 27, 1995 at 6:00 p.m.  
Mission Cultural Center  
2868 Mission Street, between 24th and 25th Streets  
San Francisco, California 94110

Notice is hereby given that the Board of Supervisors of the City and County of San Francisco SELECT COMMITTEE ON CHARTER REFORM will hold a Special Meeting on April 27, 1995 at 6:00 p.m. at the Mission Cultural Center, 2868 Mission Street, between 24th and 25th Streets, San Francisco, California 94110.

The item to be considered at this meeting is File 281-94-1. [Ballot Measure, New Charter] Hearing to consider Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman, sponsor). A detailed Calendar of Matters will be published in the San Francisco Examiner on Saturday, April 22, 1995 and will be available to the public at the Clerk's Office at 401 Van Ness Avenue, Room 308 and at the Mission Cultural Center.

  
J. L. Taylor, Clerk

POSTED: MARCH 27, 1995

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BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308  
San Francisco 94102-4532  
554-5184

March 29, 1995

*Calendar*

NOTICE OF SPECIAL MEETING  
SELECT COMMITTEE ON CHARTER REFORM

Tuesday, May 2, 1995 at 6:00 p.m.  
Richmond District Police Station  
Community Room/Rear Building  
461-6th Avenue, between Geary and Anza Streets  
San Francisco, California 94118

Notice is hereby given that the Board of Supervisors of the City and County of San Francisco SELECT COMMITTEE ON CHARTER REFORM will hold a Special Meeting on May 2, 1995 at 6:00 p.m. at the Richmond District Police Station, Community Room, Rear Building, 461 6th Avenue, between Geary and Anza Streets, San Francisco, California 94118.

The item to be considered at this meeting is File 281-94-1.  
[Ballot Measure, New Charter] Hearing to consider Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman, sponsor). A detailed Calendar of Matters will be published in the San Francisco Examiner on Saturday, April 29, 1995 and will be available to the public at the Clerk's Office at 401 Van Ness Avenue, Room 308 and at the Richmond District Police Station.

A handwritten signature in cursive script that reads "J. L. Taylor".

J. L. Taylor, Clerk

POSTED: MARCH 29, 1995

DOCUMENTS DEPT.

MAR 30 1995

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# CALENDAR

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

### \* SPECIAL MEETING

TUESDAY, MAY 2, 1995 - 6:00 P.M.

RICHMOND DISTRICT POLICE STATION  
COMMUNITY ROOM/REAR BUILDING  
461-6TH AVENUE  
BETWEEN GEARY AND ANZA STREETS  
SAN FRANCISCO, CA. 94118

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

BUSINESS-SCIENCE  
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\* \* \* \* \* MAY 2 1995

### Disability Access

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SPECIAL MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 2, 1995 - 6:00 P.M.

RICHMOND DISTRICT POLICE STATION  
COMMUNITY ROOM/REAR BUILDING  
461-6TH AVENUE  
BETWEEN GEARY AND ANZA STREETS  
SAN FRANCISCO, CA. 94118

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Continued from April 27, 1995)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

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IMPORTANT  
HEARING NOTICE

Bill Lynch  
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BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308  
San Francisco 94102-4532  
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April 7, 1995

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NOTICE OF SPECIAL MEETING  
SELECT COMMITTEE ON CHARTER REFORM

Tuesday, May 9, 1995 at 6:00 p.m.  
Chinese for Affirmative Action  
CAA Community Room

17 Walter Lum Place, between Washington and Clay Streets  
San Francisco, California 94108

Notice is hereby given that the Board of Supervisors of the City and County of San Francisco SELECT COMMITTEE ON CHARTER REFORM will hold a Special Meeting on May 2, 1995 at 6:00 p.m. at the Chinese for Affirmative Action, CAA/Community Room, 17 Walter Lum Place, between Washington and Clay Streets, San Francisco, California 94108.

The item to be considered at this meeting is File 281-94-1. [Ballot Measure, New Charter] Hearing to consider Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman, sponsor). A detailed Calendar of Matters will be published in the San Francisco Examiner on Saturday, May 6, 1995 and will be available to the public at the Clerk's Office at 401 Van Ness Avenue, Room 308 and at the Chinese for Affirmative Action Community Room.

A handwritten signature in cursive script that reads "John L. Taylor".  
J. L. Taylor, Clerk

POSTED: APRIL 7, 1995



# CALENDAR

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

### SPECIAL MEETING

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MAY 04 1995

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TUESDAY, MAY 9, 1995 - 6:00 P.M.

CHINESE FOR AFFIRMATIVE ACTION  
CAA/COMMUNITY ROOM  
17 WALTER LUM PLACE  
BETWEEN WASHINGTON & CLAY STREETS  
SAN FRANCISCO, CA. 94108

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

\* \* \* \* \*

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SPECIAL MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 9, 1995 - 6:00 P.M.

CHINESE FOR AFFIRMATIVE ACTION  
CAA/COMMUNITY ROOM  
17 WALTER LUM PLACE  
BETWEEN WASHINGTON AND CLAY

SAN FRANCISCO, CA. 94108

MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG

CLERK: ROSEMARY LITTLE-HORANZY

1. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

(Continued from May 2, 1995)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

IMPORTANT  
HEARING NOTICE

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BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308  
San Francisco 94102-4532  
554-5184

May 3, 1995

11/95  
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NOTICE OF CANCELLED MEETING

NOTICE IS HEREBY given that the regularly scheduled meeting of the Select Committee on Charter Reform for Thursday, May 11, 1995, at 10:00 a.m. has been cancelled. The next special meeting of Select Committee on Charter Reform meeting will be held Tuesday, May 9, 1995 at the Chinese for Affirmative Action, CAA/Community Room, 17 Walter Lum Place between Washington and Clay Streets, San Francisco, California 94108 at 6:00 p.m.

*Jean C. Lum*  
Jean C. Lum  
Acting Clerk of the Board

POSTED: MAY 3, 1995





# CALENDAR

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

### SPECIAL MEETINGS

155  
195  
95  
WEDNESDAY, MAY 31, 1995 - 6:00 P.M.

VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 410  
SAN FRANCISCO, CA. 94102

THURSDAY, JUNE 1, 1995 - 9:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 404  
SAN FRANCISCO, CA. 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Mabel Teng

CLERK: Rosemary Little-Horanzky

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**SPECIAL MEETINGS OF  
THE SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO**

**WEDNESDAY, MAY 31, 1995 -- 6:00 P.M.**

**VETERANS BUILDING  
401 VAN NESS AVENUE,  
ROOM 410**

**THURSDAY, JUNE 1, 1995 -- 9:00 AM.**

**VETERANS BUILDING  
401 VAN NESS AVENUE,  
ROOM 404**

**MEMBERS: SUPERVISORS KAUFMAN, LEAL, TENG**

**CLERK: ROSEMARY LITTLE-HORANZY (554-4447)**

- A. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman).

(Continued from May 9, 1995)

In addition to consideration of File 281-94-1 as a whole, the Select Committee on Charter Reform will consider the following amendments that have been proposed by members of the public, community groups and departments during the course of several public meetings held throughout the City. Calendar items not considered at the May 31, 1995, meeting will be considered at the June 1, 1995, meeting.

**Subjects Relating to Commissions**

1. Amending Section 2.118, to eliminate the requirement that the Board of Supervisors set compensation for Boards and Commissions at a uniform, "per meeting" rate.
2. Amending relevant sections and 15.105, providing for the removal of commissioners by the Mayor.
3. Amending Section 4.101, to eliminate the one-year residency requirement for commissioners.
4. Amending Sections 3.100 and 4.102, to provide that boards and commissions may remove department heads.
5. Amending Section 4.105, designating the City Administrator and the Director of Public Transportation as ex-officio members of the Planning Commission.
6. Amending Sections 4.122 and 15.105, to provide that members of the Building Inspection Commission may only be removed for cause.
- 7(a). Amending relevant sections, to delete all provisions setting compensation and stipends for members of Boards, Commissions and task forces, except for the Board of Supervisors.

- 7(b). Amending Section 4.111, to provide that members of the Human Services Commission shall serve without compensation.
8. Amending Section 15.105, to delete provision requiring commission members to resign before running for office.
9. Amending Section 4.122, to give the Bureau of Building Inspection Commission the power to appoint and remove a department head.
10. Amending Section 4.102, to provide that Boards and Commissions shall "approve" rather than "recommend" departmental budgets.
11. Amending Section 7.102, to allow members of the Juvenile Probation Commission to serve on the Juvenile Justice Commission.
12. Amending relevant sections to provide that all commissioners, except Civil Service, Ethics, Fine Arts and Asian Arts Commissions and elected Health Service and Retirement Board members, serve two-year terms.
13. Amending Sections 7.102 and 15.105, to provide that Juvenile Probation Commissioners may be removed for cause.
14. Amending relevant section, to create a Commission on the Status of African Americans.

#### **Subjects Relating to Board of Supervisors**

15. Amending Section 3.100, to require Board concurrence in emergency actions taken by the Mayor.
16. Amending Section 2.100, to establish a formula for salaries of members of the Board of Supervisors.
17. Amending Section 2.116, authorizing the Board of Supervisors to elect one of its members as president of the Board of Supervisors on a rotating basis each year.
18. Amending Section 2.117, to allow members of the Board of Supervisors to have more than two staff members.
19. Amending Section 2.114, to extend non-interference provisions governing Board of Supervisors.
20. Amending Section 2.100, to reduce the number of Supervisors from 11 to [7][5].

#### **Subjects Relating to Departments/Structure**

21. Repealing Section 4.119, establishing a Commission on Housing and Economic Development.
22. Adding Section 4.123, and repealing Section 4.127, to provide for a Public Works Commission.
23. Adding Section, and amending relevant sections, to combine the Police and Fire Departments and Emergency Services into a Department of Public Safety.

24. Amending Section 4.124, to alter the administrative structure of the Office of Citizens Complaints.
25. Amending Section 4.110, enumerating the powers and duties of the Health Commission/Department.
26. Amending relevant Section, to establish a Landmark Preservation Board.
27. Amending Section 4.126, to give the Department of Administrative Services responsibility for data processing, risk management and building repair.
28. Amending Section 6.101, to make the Assessor-Record responsible for birth and death records.
29. Amending Section 4.126, to give the Department of Administrative Services responsibility for communication services.
30. Amending Section 5.103, to alter the composition of the Arts Commission to provide for a "media arts representative."
31. Adding Section to classify paramedics as emergency personnel of the City and County, and to create a Department of Paramedics.

#### **Subjects Relating to Employee Relations/Personnel**

32. Amending Section 10.104, to exempt contracts for temporary expert professional services from Civil Service appointment.
33. Amending Section 14.103, to provide for recall of the City Administrator, the Controller, or any member of the Board of Education, Ethics Commission or Public Utilities Commission.
34. Amending Section 10.104, to exempt positions of Assistant Sheriff and Attorney for Sheriff from Civil Service.
35. Amending Section 18.108, to provide that any employee holding a Civil Service position which is converted to an exempt position under the new Charter shall continue to hold Civil Service status in that position.
36. Amending Section 10.104, to clarify scope of exemption for "construction workers working outside of City and County."
37. Amending Sections 10.104(18) and 18.110, and adding Section 10.105, to govern the status of provisional appointments, and to add current exempt positions to the list under the new Charter.
38. Amending Section 4.123, to require department heads to appoint "qualified" individuals to Civil Service exempt positions.
39. Adding section, to exempt non-profit organizations that provide job training and work experience for youth and young adults from prevailing wage requirements for public works and improvements.



40. Amending Section 11.102, to eliminate obsolete provisions and set new deadline for adoption or issuance of labor contracts, memoranda of understanding, arbitration awards or ordinances implementing the same.
41. Amending Section 10.104.1, after "Office of the Mayor" add "City Administrator."

#### **Subjects Relating to Elections**

42. Amending Sections 2.102 and 6.107, to provide that persons appointed to fill vacancies in elective offices must stand for election at next election.
43. Adding Section 13.110, to require appointment of Electoral Commission every ten years to review electoral process.
44. Amending relevant Sections, to provide for district election of members of the Board of Education and Community College Board.
45. Amending Section 3.102, to provide that the person elected to fill a vacancy in the Office of Mayor must stand for election at the next election.

#### **Subjects Relating to Mayor**

46. Amending Section 3.100, to impose limits on substantive duties of deputy mayors or equivalent positions.
47. Amending Section 3.104, to give the Mayor authority to remove the City Administrator, subject to rejection by the Board of Supervisors within 30 days.

#### **Subjects Relating to Planning**

48. Amending Section 4.105, to specify Planning Department priorities.
49. Amending Section 4.106, to authorize appeals to the Board of Permit Appeals of the Zoning Administrator's decision's, orders and determinations.
50. Amending Section 4.105, to change heading of "Zoning Variances" to "Zoning Administrator."
51. Amending relevant sections, to provide consistency with General Plan.

#### **Subjects Relating to City Administrator**

52. Amending Section 3.104, providing for the City Administrator's duty to coordinate issuance of bonds for capital improvements.
53. Amending Section 3.104, to eliminate responsibility of City Administrator for supervising budget preparations.

#### **Technical Changes**

54. Amending Section 18.105, to change the reference to the "Medical Examiner/Coroner" to "Medical Examiner."

55. Amending Section 18.100 to provide that transition provisions may be eliminated on a section-by-section basis.
56. Amending Section 7.100, regarding the distribution of Court fees.
57. Amending Section 4.104, to change "executive session" to "closed session."
58. Amending Section 8.103, providing for a Board of Trustees for the County Law Library.
59. Amending Section 4.124, to change "Office of Citizens Complaints" to "Office of Citizen Complaints."

### **Miscellaneous Subjects**

60. Repealing Section 8.101, regarding the inclusion of the Community College District in the Charter.
61. Amending Section 6.100, to raise the number of years of experience required for City Attorney and to lower the number of years of experience for District Attorney and Public Defender.
- 62(a). Amending Section 4.124, providing for Patrol Special Police Officers.
- 62(b). Amending Section 4.124, deleting age requirements for Patrol Special Police Officers.
63. Amending Section 4.113, to regulate the erection of structures at Union Square Park.
64. Amending Section 5.103, requiring the Arts Commission to support community cultural centers.
65. Amending Section 16.105, to provide for support from the allocation of taxes for community cultural centers.
66. Amending Sections 10.101 and 10.103, to provide that allegations of "discrimination" shall refer to discrimination as defined in Article XVII of the Charter, and specifying the tenure of the Human Resources Director.
67. Amending Section 4.102, to provide that the Mayor and the Board of Supervisors must adopt legislation to supersede departmental policies adopted by Boards and Commissions.
68. Amending Sections 15.103 and 16.116, to make City officers and employees subject to conflict of interest provisions of current Charter Section 8.105.
69. Amending Section 16.101, providing for initial bond measures for the acquisition of public utilities.
70. Amending Article XVIII, to define "official misconduct."
71. Amending relevant sections, to give citizens standing to sue to enforce local ordinances.
72. Amending Article XVII, to adding "economic status" to the list of criteria included in the definition of "discrimination."
73. Amending relevant Section, to prohibit economic discrimination in City budgeting.



SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

**IMPORTANT  
HEARING NOTICE**

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Documents Section  
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San Francisco CA

CALENDAR

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 8, 1995 - 10:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 410  
SAN FRANCISCO, CA. 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Mabel Teng

CLERK: Rosemary Little-Horanzky

\* \* \* \* \*

Disability Access

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REGULAR MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 8, 1995 - 10:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 410  
SAN FRANCISCO, CA. 94102

MEMBERS: Supervisors Kaufman, Leal, Teng

CLERK: Rosemary Little-Horanzky (554-4447)

- A. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment  
( Third Draft ) to repeal the 1932 Charter and to enact a new Charter.  
(Supervisor Kaufman)

In addition to consideration of File 281-94-1 as a whole, the Select Committee on Charter Reform will consider the following amendments that have been proposed by members of the public, community groups and departments during the course of several public meetings held throughout the City. Items not considered at the May 31 and June 1, 1995 meetings will be considered at the June 8, 1995 meeting.

(Continued from June 1, 1995)

39. Adding section, to exempt non-profit organizations that provide job training and work experience for youth and young adults from prevailing wage requirements for public works and improvements.
- 62(a) Amending Section 4.124, providing for Patrol Special Police Officers.
- 62(b) Amending Section 4.124, deleting age requirements for Patrol Special Police Officers.
70. Amending Article XVIII, to define "official misconduct.
74. Amending Section 12.201, regarding the qualifications of the Medical Director for the Health Service Board.
75. Amending Section 10.103, to authorize the Human Resources Director to certify payrolls.
76. Adding Section 16.102, to establish Transit-First Policies.
77. Amending Section 4.117, to provide that if the Department of Parking and Traffic is incorporated in the Department of Public Transportation, one of the two new commissioners shall be a regular rider of public transportation.
78. Amending Section 6.100, to provide for the continuation of terms of office for elective officers.
79. Amending Section 16.112, to establish the Board of Supervisors' powers of inquiry and review.
80. Amending Section 3.100, regarding budgetary approval of the Mayor's staff.

81. Amending Section 4.106, relating to the Board of Permit Appeals' authority to authorize technical non-compliance with terms of an ordinance.
82. Amending Sections 3.105 and 9.103, regarding the Controller's authority over obligations and expenditures of City and County funds.
83. Amending Section 10.102, regarding non-interference by the Mayor in the Administration of the Civil Service merit system.
84. Amending Section 10.104, regarding Proposition J certifications.
85. Amending Section 13.101 and adding Section 15.108, relating to restrictions on City employment of a former mayor or supervisor.
86. Amending Section 13.103, relating to the Special Election Fund.
87. Amending Section 13.109, relating to approval of election fees by the Board of Supervisors.
88. Amending Section 13.100 and repealing Section 14.105, relating to local election laws.
89. Amending Section 4.102, regarding non-interference by commissions in departmental administration.
90. Amending Section 12.013, relating to administrative costs of the Retirement System.
91. Amending Section 16.109, relating to franchises.
92. Amending Section 4.113, providing for operation of parking garages under Recreation and Park property by the Department of Parking and Traffic.
93. Amending Section 18.105, to adjust the term of office of the City Administrator, and correcting effective dates.
94. Amending relevant Sections, related to the duties of Treasurer.
95. Amending relevant Section, to define duties of the Commission on the Status of Women.
96. Amending relevant Section, to establish the criteria for granting zoning variances.

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

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# CALENDAR

## SELECT COMMITTEE ON CHARTER REFORM BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

X SPECIAL MEETING

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JUN 09 1995

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THURSDAY, JUNE 15, 1995 - 9:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 404  
SAN FRANCISCO, CA. 94102

MEMBERS: Supervisors Barbara Kaufman, Susan Leal, Mabel Teng

CLERK: Rosemary Little-Horanzky

\* \* \* \* \*

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SPECIAL MEETING OF  
SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 15, 1995 - 9:00 A.M.

VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 404  
SAN FRANCISCO, CA. 94102

MEMBERS: Supervisors Kaufman, Leal, Teng

CLERK: Rosemary Little-Horanzky (554-4447)

- A. File 281-94-1. [Ballot Measure, New Charter] Consideration of Charter amendment (Fourth Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisor Kaufman)

3. Amending Section 4.101, to eliminate the one-year residency requirement for commissioners.

(Continued from May 31, 1995.)

ACTION:

39. Adding section, to exempt non-profit organizations that provide job training and work experience for youth and young adults from prevailing wage requirements for public works and improvements.

(Continued from June 8, 1995)

ACTION:

48. Amending Section 4.105, to specify Planning Department priorities.

(Continued from June 1, 1995)

ACTION:

52. Amending Section 3.104, providing for the City Administrator's duty to coordinate issuance of bonds for capital improvements.

(Continued from June 1, 1995)

ACTION:

60. Repealing Section 8.101, regarding the inclusion of the Community College District in the Charter.

(Continued from June 1, 1995)

ACTION:



93. Amending Section 18.105, to adjust the term of office of the City Administrator, and correcting effective dates.

(Continued from June 8, 1995)

ACTION:

97. Amending Section 6.105, to provide for staff positions in the Office of the Sheriff.

(Continued from June 8, 1995)

ACTION:

98. Amending relevant Sections, regarding the term of office of the City Administrator.

(Continued from June 8, 1995)

ACTION:

99. Adding Section, regarding dedicated revenues for public transit.

(Continued from June 8, 1995)

ACTION:

#### CONTINUED ITEMS

100. Amending relevant Sections, to correct typographic errors, grammatical errors, and etc.

(Continued from June 8, 1995)

ACTION:

SELECT COMMITTEE ON CHARTER REFORM  
BOARD OF SUPERVISORS  
VETERANS BUILDING  
401 VAN NESS AVENUE, ROOM 308  
SAN FRANCISCO, CA 94102

**IMPORTANT  
HEARING NOTICE**



**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

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JUL 24 1995

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July 21, 1995

TO: Select Committee on Charter Reform

FROM: Budget Analyst Recommendation

SUBJECT: Charter Reform Proposal

**Proposed Action:** Charter Amendment to repeal the 1932 Charter and to enact a new Charter.

**Draft:** Third Draft, as Amended

**Section Affected:** The entire Charter of the City and County of San Francisco

**Description:** The proposed Charter would repeal the City's existing Charter and replace it with a new Charter which would be implemented on July 1, 1996 for structural and budgetary provisions and July 1, 1997 for powers of the Mayor.

The following is a summary of the differences between the City's existing Charter and the proposed Charter:

<u><b>Current Charter</b></u>	<u><b>Proposed Charter</b></u>
<u><b>Charter Size</b></u> 320 pages and 46 pages of Appendices	89 pages plus Appendices
<u><b>Administrative Provisions</b></u> Contains references to obsolete programs, procedures and positions and contains detailed administrative procedures that could be transferred to the City's Administrative Code.	Removes obsolete provisions and administrative detail such as references to obsolete programs, procedures and positions. Transfers to Appendices or to the City's Administrative Code two-thirds of the Charter.
<b>Article I: Existence and Powers of the City and County</b>	
Provides the name, boundaries, rights and powers of the City and County of San Francisco. Describes San Francisco as a municipal corporation.	The same except describes San Francisco as a "consolidated City and County."
<b>Article II: Legislative Branch</b>	
<u><b>Board of Supervisors Size</b></u> 11 members	Same
<u><b>Board of Supervisor Salaries</b></u> Board of Supervisors salaries are currently at the 1982 level of \$23,924 and can only be changed by a Charter Amendment.	Same
<u><b>Supervisors Election</b></u> Elected at large	Same
<u><b>Supervisors' Terms</b></u> Four year terms limited to two successive terms.	Same

Current Charter

Proposed Charter

<u>Supervisors Vacancies</u> Filled by Mayor for balance of term.	Same, except that if more than two years remain in the term, the appointee must stand for election at the next regular election.
<u>Supervisors Meetings</u> Meetings can be held outside City Hall, if properly noticed.	Same
<u>Meeting Quorums</u> A majority of Supervisors constitutes a quorum; Supervisors must vote when a question is put; Supervisors can be excused from voting by a majority of the Supervisors.	Same
<u>Ordinance and Resolutions</u> Ordinances and resolutions are method of enacting policies or laws (except for motions for Board of Supervisors internal business). Ordinances must deal with a single subject except for appropriation ordinances, require majority vote and require two readings.	Same
<u>Board of Supervisors Budgetary Authority</u> The Board of Supervisors is limited to decreasing or rejecting budget items proposed by the Mayor, but may not increase items (except for capital improvements) or propose its own expenditures. The Board of Supervisor's adopted budget is subject to Mayoral veto, line item veto, and line item reduction.	The Board of Supervisors budgetary powers are expanded to permit the Board of Supervisors to initiate programs, increase line items and initiate supplemental appropriation requests within the limits of the balanced budget and of the Fund allocations set by the Mayor, and subject to Mayoral veto, line item veto, and line item reduction.
<u>Budget Strategies</u> Annual budgets and mission driven budgets.	Annual budgets and multi-year budgets (for planning purposes), mission driven budgets and any other budget strategies as required by ordinance.



Current Charter

Proposed Charter

<p><u>Supplemental Appropriations</u> Supplemental appropriations originate within departments and commissions. Supervisors may approve resolutions urging the Mayor to urge a Commission to urge its department to submit a supplemental appropriation request.</p>	<p>Supervisors would be able to directly initiate supplemental appropriations, subject to available funds and subject to Mayoral veto, line item veto and line item reduction by the Mayor.</p>
<p><u>Veto Override</u> Veto override requires 8 votes within 30 days.</p>	<p>Same</p>
<p><u>Emergency Ordinances</u> Ordinances regarding public emergencies affecting life, health, or property require one reading, and require a two-thirds vote of the Board of Supervisors.</p>	<p>Same</p>
<p><u>Public's Right to Know/Record Keeping</u> Clerk of the Board maintains records which are made available to the public under the Sunshine Ordinance.</p>	<p>Same</p>
<p><u>Rates and Fees</u> Most rates, fees and charges for City services are set by boards and commissions. Some require review and approval of the Board of Supervisors.</p>	<p>The Board of Supervisors would have the authority to approve or reject all proposed changes in fees and charges except for those fees at the Port, Airport and garbage collection and disposal rates.</p>
<p><u>Sale or Lease of Real Property</u> Lease of real property for ten years or more or sale of property requires approval through resolution by the Board of Supervisors.</p>	<p>Same</p>
<p><u>Abandonment of Transit Routes</u> Approved or rejected by ordinance.</p>	<p>Same</p>

Current Charter

Proposed Charter

<u>Fidelity Bonds</u> Far ranging dollar amounts specified for various officials and department heads.	Board of Supervisors would determine which officers would post bonds and in what dollar amounts. The Board of Supervisors would conduct an annual review of bonding requirements.
<u>Declaration of Policy/Legislative Referendum</u> Four Supervisors can place an item on a ballot.	Same
<u>Board of Supervisors Involvement in Departmental Affairs</u> Members of the Board of Supervisors are prohibited from being involved in the day-to-day operation of City departments. Inquiries are limited to ordinances, resolutions, letters filed with the Clerk of the Board of Supervisors or committee inquiries.	Same, except that Supervisors may testify before public meetings of Commissions and Boards regarding administrative matters other than specific contract and personnel decisions, and the Board of Supervisors as a whole may consider and adopt ordinances regarding these same matters.
<u>Budget Analyst</u> Supervisors select the Board's Budget Analyst.	Same
<u>President of the Board of Supervisors</u> Highest vote-getter becomes president and in case of a vacancy the Supervisors select a replacement.	Same
<u>Clerk of the Board of Supervisors</u> Clerk has civil service status.	The Board of Supervisors would appoint and remove the Clerk of the Board. The incumbent Clerk would maintain his Civil Service status.
<u>Staff to the Board of Supervisors</u> Assistant Clerks are appointed by the Clerk of the Board subject to Civil Service. Supervisors are permitted a single Administrative Assistant but they also have a Legislative Assistant whose position is classified as Temporary.	Each member of the Board of Supervisors would have two permanent staff positions.

**Current Charter**

**Proposed Charter**

<p><u>Compensation for Elected Officials</u> Elected officials except Supervisors, School Board members and Community College Board members, have their pay set by the Salary Standardization Ordinance (SSO) requiring Supervisors' adoption.</p>	<p>Same</p>
<p><u>Compensation for Commissioners</u> Specifies different compensation rates for the various commissions.</p>	<p>Compensation for all Commissioners would be set by ordinance, requiring approval of the Mayor and Board of Supervisors</p>
<p><u>Rejection of Commission Appointments</u> The Supervisors can confirm or reject appointments to the Redevelopment, Port, and the Housing Authority commissions but not the other City commissions.</p>	<p>The Board of Supervisors would have the authority to reject all commission appointments within 30 days.</p>
<p><b>Article III: Executive Branch – Office of the Mayor</b></p>	
<p><u>Budget Preparation</u> The Controller assembles the budget items prepared by City Departments and approved by commissions. The Mayor assembles his budget priorities from the Controller's budget. The Mayor can only cut departments' budgets.</p>	<p>The proposed City Administrator (to replace the City's Chief Administrative Officer) would supervise budget preparations, recommendations and program evaluations for all departments for consideration and action by the Mayor. The Mayor would be able to add, subtract or shift funds within and among departments. The Controller's Office would continue to be involved in budget preparation.</p>
<p><u>Budget/Appropriation Veto Powers</u> Mayor can veto in whole or by line item, or line item reduction.</p>	<p>Same</p>
<p><u>Supplemental Appropriations</u> Commissions/departments submit supplemental appropriation requests to the Mayor who may approve, disapprove, or reduce and then submits the request to the Board of Supervisors.</p>	<p>The Mayor would be able to submit supplemental appropriation requests directly to the Board of Supervisors without originating from the Commissions/departments.</p>

**Current Charter**

**Proposed Charter**

<u><b>Speak Before the Board of Supervisors</b></u> The Mayor can speak before Board or committee meetings.	Same
<u><b>Acting Mayor</b></u> The Mayor appoints a Supervisor as Acting Mayor when necessary.	Same
<u><b>Emergency Powers</b></u> Requires the Mayor to seek the concurrence of the Board of Supervisors "as soon as is reasonably possible" in any declaration of emergency action.	Same
<u><b>Vacancies</b></u> The Mayor fills vacancies in all elective offices.	Same
<u><b>Measures to Voters</b></u> The Mayor may submit ordinances or declaration of policy measures to the voters.	Same
<u><b>Appointing Commissioners</b></u> The Mayor appoints most commissioners without oversight by the Board of Supervisors, except for confirmation proceedings for appointments to the Redevelopment Commission, Housing Authority, War Memorial, and Port Commission. The Board and other City officers appoint some Commissioners and Board members.	Same except the Supervisors may reject all commission appointments within 30 days. As in the current Charter, the Mayor would have the authority to remove commissioners except those from the Commissions of: Building Inspection, Civil Service, Ethics, Health, Human Services, Juvenile Probation, Public Utilities, Recreation and Park, Port, Airport, Status of Women, Asian Art and Fine Arts, and War Memorial and Performing Arts, who would be subject to specified suspension and removal procedures.



Current Charter

Proposed Charter

<p><u>Department Head Hiring</u> Commissions hire and fire the directors of City departments.</p>	<p>Commissions submit a list of no less than three qualified candidates for Department Head, and the Mayor must hire from such lists, except for the Building Inspection Commission, which would directly appoint and remove a department head. The Mayor would have the authority to recommend removal of a department head to a Commission, which would be required to act on the Mayor's recommendation within 30 days to either retain or fire the Department head. In the case of the Police Chief, the Mayor or Police Commission would each be able to remove the Chief.</p>
<p><u>Mayor's Term of Office</u> Four year term limited to two successive terms.</p>	<p>Same</p>
<p><u>Mayor Vacancy</u> The president of the Board of Supervisors becomes Acting Mayor until the Board of Supervisors appoints a replacement Mayor.</p>	<p>Same</p>
<p><u>Chief Administrative Officer (CAO)</u> The Mayor appoints the CAO subject to confirmation by the Board of Supervisors. The CAO has responsibility for the Department of Public Works, Registrar of Voters, the Purchasing Office, and other administrative departments. The CAO serves a ten-year term and may be removed by a two-thirds vote by the Board of Supervisors.</p>	<p>The position of CAO would be replaced with the position of City Administrator. The Mayor would appoint the City Administrator to a five-year term subject to Board of Supervisors confirmation. The Mayor would be able to remove the City Administrator with the approval of the Board of Supervisors. The City Administrator would implement the policies of the Mayor and the Board of Supervisors as established by ordinance, and coordinate certain administrative services for all City departments, and coordinate the issuance of bonds for most purposes.</p>
<p><u>Controller</u> Appointed for a ten year term and removable only for cause by 2/3 vote of the Board of Supervisors.</p>	<p>Same and the powers and duties are the same.</p>



Current Charter

Proposed Charter

**Article IV: Executive Branch – Boards, Commissions  
and Departments**

Boards and Commissions -- Size and Composition

Commissions and Boards range in size from five members to 62 members, most terms are four years staggered. Members must be registered voters; residency in San Francisco required for commissions; in cases of boards created by ordinance, residency requirement can be waived in unusual cases.

Commission sizes, terms, and composition would remain the same, except for the Planning Commission, where two ex-officio members (the CAO, and the head of the Department of Transportation) would be replaced with two public members appointed by the Mayor, and the Art Commission, where one citizen representative would be replaced by a representative of the media arts. The new Charter provides that youth may serve on boards established by ordinance. Appointments to Commissions must be "representative of the communities of interest, neighborhoods, and diversity of ethnicity, race, age, and sexual orientation" in the City and County of San Francisco, "and have representation of both sexes."

Commission Responsibilities

Commission duties and responsibilities range from formulating departmental policy, hiring and firing department heads, setting rates and fees and acting as an appellate body for employee grievances.

Commissions would prepare and approve budgets for their Departments, and the Mayor would prepare the budget for the City as a whole, and would have the authority to add or subtract from budgets submitted by Commissions. Department head appointments would be made by the Mayor from a list developed by Commissions, and the Mayor could recommend removal of a Department head, on which recommendation the Commission must act within 30 days to retain or to fire the Department head. Other Commission responsibilities would remain unchanged.

Current Charter

Proposed Charter

<u>Annual Report</u> Commissions are not currently required to provide an annual report.	Commissions would be required to provide an annual report on their activities.
<u>Rules and Regulations</u> Commissions adopt rules and regulations.	Commissions adopt rules and regulations consistent with the Charter and ordinances.
<u>New Charter Commissions</u> The Commission on the Environment is not currently in the City's Charter and the Commission on the Aging is an ordinance Commission.	The proposed Charter would add the Building Inspection Commission to the Charter in accordance with the Nov. 1994 passage of Proposition G, create the Commission on the Environment, and add the Commission on the Aging to the Charter. In addition, the proposed Charter would change the name of the Social Services Commission to the Human Services Commission.
<u>Reorganization of City Departments</u> With the recommendation of the Mayor and the CAO, the Board of Supervisors may create or abolish Departments, and may, by ordinance, confer on Departments additional powers and duties.	City departments may be reorganized by department heads, subject to approval by the City Administrator. Mayor may reorganize duties between departments, except those Departments headed by elected officials and prescribed in the Charter. The Board of Supervisors may veto reorganizations proposed by the Mayor within 30 days.

**Current Charter**

**Proposed Charter**

<p><u>Creation of New Departments</u> Not Applicable</p>	<p>Consolidates environmental functions into the Department of the Environment. The details of these functions would be determined at a later date by ordinance subject to approval of the Mayor and of the Board of Supervisors. Consolidates the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services. Merges the Assessor and the Recorder's Office into the Assessor-Recorder, as has been done in other California counties.</p>
<p><b>Article V: Executive Branch – Arts and Culture</b></p>	
<p>This section includes the following arts and culture departments and commissions; the Arts Commission, Asian Art Museum, Fine Arts Museum and War Memorial and Performing Arts Center.</p>	<p>This section would remain the same, except that one citizen member of the Art Commission would be replaced with a media arts representative.</p>
<p><b>Article VI: Other Elected Officials</b></p>	
<p>This section includes the powers and duties of other elected officials which includes the Assessor, the City Attorney, the District Attorney, the Public Defender, the Sheriff and the Treasurer.</p>	<p>The powers and duties of these other elected officials would remain unchanged. An amendment provides that persons appointed to fill vacancies in such offices must stand for election at the next regular election, if more than two years remain in the vacant term.</p>
<p><b>Article VII: Judicial Branch</b></p>	
<p>Includes Superior and Municipal Courts, Adult Probation and Juvenile Probation.</p>	<p>The proposed Charter would not change the powers and duties of any of the departments under Article VII: Judicial Branch.</p>

Current Charter

Proposed Charter

<b>Article VIII: Education and Libraries</b>	
Includes the Unified School District, the Community College District, the Public Library Commission, and the Law Library.	The proposed Charter would not change the powers and duties of any of the departments under Article VIII: Education and Libraries.
<b>Article IX: Financial Provisions</b>	
<b><u>Budget Process</u></b> The Mayor proposes an annual budget within specified time frames. The Board of Supervisors can only reduce items in the proposed budget except capital, and requires mission-based budget (goals, plans, services to be provided and priorities). Requires an interim and final Annual Appropriation Ordinance.	The Mayor would propose the budget and the Board of Supervisors would be able to increase or decrease the budget as long as there is no overall increase to total spending within each fund. The Charter would also require additional multi-year capital budget information and timelines which are to be set by ordinance. The dates by which Board must adopt annual budgets and interim budgets are not changed.
<b><u>Mayoral Veto</u></b> The Mayor can line item veto with a possible Board of Supervisors override by a two-thirds vote.	Same
<b><u>Bonds and Lease Financing</u></b> Allows for bonds to be issued under State law and local ordinances. Requires voter approval. General obligation bonds are subject to a limitation equal to three percent of the assessed value of all taxable real and personal property. Requires voter approval of revenue bonds and lease financing with certain exceptions.	Would have the same overall controls including voter approval. The detailed provisions would be moved to the City's Administrative Code. The City Administrator would coordinate the issuance of bonds for most purposes.
<b><u>Cash Reserves</u></b> Requires the City to set aside a fund for cash flow purposes equal to 10 percent of the property tax levy.	Same



**Current Charter**

**Proposed Charter**

<p><b><u>Audit Committee</u></b> An audit advisory committee is appointed by the Mayor and the Board of Supervisors.</p>	<p>The Board of Supervisors would establish an audit committee. The audit committee would maintain a direct and separate line of communication between the Board of Supervisors and the City's independent auditor as well as meet with the independent auditor to review the audited annual financial statement and the auditor's report and recommend appropriate action that the Board of Supervisors should take to implement audit recommendations.</p>
<p><b>Article X: Personnel Administration</b></p>	
<p>This section covers personnel administration which includes the Civil Service Commission and the Department of Human Resources.</p>	<p>The proposed Charter would not substantially change the powers and duties of any of the departments and commissions under Article X: Personnel Administration, except to provide that provisional appointments may not last longer than three years.</p>
<p><b>Article XI: Employer-Employee Relations System</b></p>	
<p>This section establishes employer-employee relations, the Employee Relations Office and the methods of labor negotiating and wage setting as updated by Proposition F (1994).</p>	<p>The proposed Charter would not change the employee-employer relations system. Provisions related to the current wage setting and negotiating systems, disciplinary and exoneration procedures and prevailing wages would be incorporated in the proposed Appendix A-Employment Provisions, which can only be changed by the voters.</p>



**Current Charter**

**Proposed Charter**

<b>Article XII: Employee Retirement and Health Service Systems</b>	
This Section establishes the Retirement Board/System and the Health Service Board/System.	This section would remain the same except specific sections awarding benefits are moved to Appendix A-Employment Provisions which could not be changed without a charter amendment. The recent addition permitting a retiree to serve on the Retirement Board and Health Service Board would be incorporated in the proposed Charter.
<b>Article XIII: Elections</b>	
This section covers the terms of elective offices of four years and specifies when those elections will occur. In addition, includes provisions in runoff elections, special municipal elections and establishes the Registrar of Voters.	Everything would remain the same in this section except the Registrar of Voters would be re-named the Department of Elections and a Director of Elections would be appointed by the City Administrator, as the current Registrar is appointed by the CAO.
<b>Article XIV: Initiative, Referendum and Recall</b>	
Provides for voter initiated referendums and recall elections	No changes would be made to this section.

**Current Charter**

**Proposed Charter**

**Article XV: Ethics**

Includes provisions for an Ethics Commission, financial disclosure, conflict of interest, penalty for official misconduct, suspension and removal, and dual office holdings.

The proposed Charter would carry over all ethics provisions from the existing Charter, and would gather ethics provisions now scattered through the Charter into a single section. An amendment would bar persons from holding a position with the City while being employed with the State or Federal governments, provided the annual salary for the City position exceeds \$2,500. In addition, the proposed Charter would clarify an existing provision that no former Mayor or member of the Board of Supervisors may be hired as a City employee within one year of leaving office with language stating that such persons may be elected to City offices, appointed to vacant elective offices, or appointed to seats on Boards or Commissions.

**Article XVI: Miscellaneous Provisions**

This section includes cable car routes, City acquisition of utilities, Utility Revenue and expenditures, Airport Revenue Funds, Cultural, Educational and Recreational Appropriations, California Academy of Sciences, Open Space Fund, Children's Fund, Library Preservation Fund, Recreation and Parks; Buildings and Lands, and Franchises.

This section is substantially the same. The new Charter broadens the City's "transit first" policy to apply to other Departments. The new Charter also makes explicit the Board of Supervisors authority to grant and regulate franchises, and limits franchises to 25 years duration.

**Current Charter**

**Proposed Charter**

<b>Article XVII: Definitions</b>	
Provides definitions of terms including "business day", "discrimination" and "elector".	The definitions would not change in the proposed Charter, except for the addition of "Domestic partners," defined as those persons registered pursuant to the Domestic Partner ordinance, and defines "official misconduct," as "any wrongful behavior by a public officer in relation to the duties of office," and any refusal or neglect of the duties of office. This section expands the Charter's human rights provisions to provide for non-discrimination based on parental status, domestic partnership, and gender identity.
<b>Article XVIII: Transition Provisions</b>	
The current Charter does not include this section.	This section would contain transition provisions that, once implemented, would be stricken from the Charter. This section transfers 108 sections from the 1932 Charter to the City's Administrative Code that are procedural in nature.
<u><b>Initiative Ordinances</b></u> Initiative ordinances are attached to the current Charter.	Initiatives ordinances would not be attached to the proposed Charter, but included in the City's Administrative Code.
<u><b>Revision of Rules and Regulations</b></u> Not applicable	Following adoption of the proposed Charter, departments would review their rules and regulations and revise, if need be, to conform with the proposed Charter.
<u><b>Protection of Incumbent Officers and Employees</b></u> Not applicable	Would protect the Civil Service rights of all officers and employees in cases where the proposed Charter would provide for changes or transfer of functions.

Current Charter

Proposed Charter

<u>Changes in Offices and Positions</u> Not applicable	This section would clarify the roles and protect the incumbency rights, of certain officers (i.e. Controller's term would continue; the Clerk of the Board would retain his Civil Service rights; the General Manager of Social Service would become the Director of Human Services; the incumbent County Clerk-Recorder would maintain his civil service status when the office is merged with the Assessor's Office). Provides that the current CAO would become the City Administrator for a term of five years from his initial appointment.
<u>Provisional Appointments</u> There are some City employees who have provisional appointments. According to the Department of Human Resources, there are currently approximately 2,270 provisional appointments. Provisional appointments mean an employee may hold a job provided that the employee passes the relevant Civil Service exam when it is offered. Because of their provisional status, these employees do not receive retirement benefits or step pay increases.	This section would create a system to make most provisional City employees permanent within three years after the passage of the proposed Charter.

**Effect on the Cost  
of Government:**

The Controller reports that the proposed new Charter would neither increase nor decrease the cost to City government.

**Comments:**

1. The proposed consolidation of the Real Estate Department, Purchasing Department and the Department of Electricity and Telecommunications into the Department of Administrative Services could result in savings to the City if various administrative positions and functions are merged and positions are eliminated. Creation of the proposed Department of the Environment could also result in savings to the City if administrative positions and functions related to environmental functions now assigned to various City departments are merged and positions are eliminated.

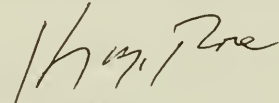
2. Article XVIII, Section 18.110 of the proposed new Charter, establishes a procedure which could make all provisional City employees permanent within three years after passage of the proposed Charter. Becoming permanent requires Civil Service to conduct an exam and the incumbent to pass the exam. There would be a cost to the City in providing retirement benefits to such permanent employees which are not provided to provisional employees.

According to the Department of Human Resources, there are approximately 2,270 provisional City employees. As a rough estimate, at an average annual salary of \$50,000 and the City's FY 1995-96 retirement contribution rate of 4.98 percent, the annual increased cost to the City to make these provisional employees permanent would be approximately \$5,652,300 (2,270 employees x \$50,000 average salary x 4.98% retirement contribution rate). According to Mr. Wendell Pryor of the Department of Human Resources, it is the policy of the Civil Service Commission to conduct exams, and to maintain current lists of eligibles in a timely manner to limit the number of provisional employees. Thus, even if the proposed new Charter were not approved by the voters, the City would incur increased costs associated with making provisional employees permanent, as well as some savings associated with decreasing the Departmental time and effort involved in provisional hiring processes.



3. There are currently 24 commissions and boards with a total of 234 members in the City and County of San Francisco. Of those, ten do not receive any form of compensation. Of the remaining 14 boards and commissions, ten receive \$1,200 annually, two receive \$15 per meeting, and two receive \$25 per meeting. The total cost to the City for these commissioners' compensation is approximately \$105,000 annually. The new Charter deletes these specified compensation levels and provides that compensation for commissioners would be set by ordinance.

4. The proposed new Charter continues to provide for Patrol Special Police Officers (PSOs), as exist in the current Charter. PSOs receive Police Officer training and work at special beats or territories as fixed by the Police Commission. The proposed new Charter would provide that the Police Commission sets policy regarding PSOs and would provide that if an ordinance on the subject is approved by the Board of Supervisors, PSOs may be subject to the same inquiry process under the Office of Citizen Complaints as is the case for regular Police Officers.



Harvey M. Rose

cc: Supervisor Kaufman  
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